



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 27, 2023

10:00 AM

Committee Room

CALL TO ORDER

Joint with Budget & Appropriations committee.

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.

Legislator Colin Smith will be participating remotely from 1132 Main Street, Ste 1, Peekskill, NY 10566.

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [2023-372](#) ACT-WCC-Lease Extension-15 South 5th Avenue, Mount Vernon

AN ACT authorizing the County of Westchester to exercise its first option under a lease agreement with Enclave On 5th Commercial, LLC, pursuant to which the lessor leased to the County approximately twenty-two thousand (22,000) square feet of space in the building located at 15 South 5th Avenue in Mount Vernon, as well as approximately 31 parking spaces, to be used and occupied by Westchester Community College, for the purpose of operating a satellite campus.

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

Guests: Westchester Community College: Stewart Glass and Teri Wisell

2. [2023-390](#) BOND ACT-WCC82-Site Upgrade-Campus Wide

A BOND ACT authorizing the issuance of ONE HUNDRED FIFTY THOUSAND (\$150,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC82 - Site Upgrade - Campus Wide.

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

Guest: Westchester Community College: Robert Cirillo, Director of Physical Plant

3. [2023-391](#) BOND ACT-WCC88-Maintenance Building Infrastructure Upgrade

A BOND ACT authorizing the issuance of ONE MILLION, ELEVEN THOUSAND (\$1,011,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC88 - Maintenance Building Infrastructure Upgrade.

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

Guest: Westchester Community College: Robert Cirillo, Director of Physical Plant

4. [2023-392](#) BOND ACT-WCC90-Technology Upgrade Off Campus '17-'18-'21-'22

A BOND ACT authorizing the issuance of FIFTY THOUSAND (\$50,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC90 - Technology Upgrade Off Campus 2017/18 - 2021/22.

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

Guest: Westchester Community College: Garrett McAlister

5. [2023-393](#) BOND ACT-WCC91-Technology Upgrade On Campus '17-'18-'21-'22

A BOND ACT authorizing the issuance of SIX HUNDRED THOUSAND (\$600,000) DOLLARS in bonds to finance Capital Project WCC91 - Technology Upgrade On-Campus 2017/18 - 2021/22.

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

Guest: Westchester Community College: Garrett McAlister

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Westchester County

George Latimer
County Executive

July 31, 2023

Westchester County Board of Legislators
800 Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Dear Honorable 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 (the "County"), acting on behalf of Westchester Community College ("WCC"), to exercise its first option under a lease agreement with Enclave On 5th Commercial, LLC (the "Landlord"), pursuant to which the Landlord leased to the County approximately twenty-two thousand (22,000) square feet of space in the building located at 15 South 5th Avenue in Mount Vernon, as well as approximately 31 parking spaces, (the "Leased Premises") to be used and occupied by WCC for the purpose of operating a satellite campus (the "Lease Agreement").

Your Honorable Board authorized the County to enter into the Lease Agreement by Local Law 12-2012 (the "Local Law"), which was adopted by your Honorable Board on November 13, 2012 and approved by the County Executive on November 21, 2012. The Lease Agreement was subsequently executed. Under the Lease Agreement, the original lessor was 15 South 5th Ave LLC ("15 South"). However, 15 South, pursuant to its rights under the Lease Agreement, assigned the Lease Agreement to the Landlord upon 15 South's sale of the Leased Premises to the Landlord.

Based upon the Local Law, the Lease Agreement had an initial term of ten (10) years, which was to commence upon the completion of certain renovations agreed upon by the County and the Landlord. Accordingly, the initial term ultimately commenced on January 1, 2014, and will, therefore, expire on December 31, 2023.

Based upon the Local Law, the Lease Agreement specifies that the County has two (2) options, each of which would extend the term of the Lease Agreement by an additional five (5) years, on specified cost terms.

WCC now desires that the County exercise the first option under the Lease Agreement (the “First Option”) and thereby extend its term by five (5) years, to a new expiration date of December 31, 2028.

Based upon the Local Law, the Lease Agreement provides that the ‘fixed rent’ would be \$20.29 per rentable square foot per annum for the term of the First Option. Based upon the Local Law, the Lease Agreement provides that the rentable square footage of the Leased Premises is 22,000 feet. Accordingly, for each year of the term of the First Option, the ‘fixed rent’ would be \$446,380.00, with said rent being a total of \$2,231,900.00 for the full five (5) year period of the First Option.

Under the Lease Agreement, during the term of the First Option, the County will also: (a.) be responsible for all costs, expenses, and fees relating to the maintenance, repair, and replacement of the non-structural elements (e.g., painting, carpeting, etc.) of the Leased Premises, with respect to which the Landlord will perform the work and bill the costs, expenses, and fees thereof to the County as additional rent; (b.) since the premises are now subject to a condominium regime in which the Leased Premises are one (1) condominium unit, the County shall be responsible for payment of one hundred percent (100%) of the taxes levied on the condominium unit comprising the Leased Premises, but which obligation of the County was capped at \$100,000.00 in the first year of the initial term, and which cap has, for each subsequent year of the lease term, increased by the same percentage as the aggregate real estate taxes for the one (1) condominium unit; and (c.) pay for all water, electrical current, and gas for heating used in connection with the Leased Premises.

The Planning Department has advised that, based on its review, authorizing the County to exercise its First Option under the Lease Agreement may be classified as a “Type II” action pursuant to the State Environmental Quality Review Act (“SEQRA”) 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.

Due to the First Option having been provided for by the Local Law authorizing the Lease Agreement, your Honorable Board may now, by act, authorize the County to exercise that option. An affirmative vote of a majority of the members of your Honorable Board is required in order to adopt the attached proposed Act.

As WCC desires that the County exercise the First Option under the Lease Agreement, I recommend and urge your Honorable Board to adopt the proposed Act.

Sincerely,



George Latimer
County Executive

GL/BSM/bdm/nn
Attachments

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

Your Committee is in receipt of a communication from the County Executive requesting that your Honorable Board authorize the County of Westchester (the “County”), acting on behalf of Westchester Community College (“WCC”), to exercise its first option under a lease agreement with Enclave On 5th Commercial, LLC (the “Landlord”), pursuant to which the Landlord leased to the County approximately twenty-two thousand (22,000) square feet of space in the building located at 15 South 5th Avenue in Mount Vernon, as well as approximately 31 parking spaces, (the “Leased Premises”) to be used and occupied by WCC for the purpose of operating a satellite campus (the “Lease Agreement”).

Your Committee has been advised that your Honorable Board authorized the County to enter into the Lease Agreement by Local Law 12-2012 (the “Local Law”), which was adopted by your Honorable Board on November 13, 2012 and approved by the County Executive on November 21, 2012. Your Committee has been advised that the Lease Agreement was subsequently executed. Your Committee has been advised that, under the Lease Agreement, the original lessor was 15 South 5th Ave LLC (“15 South”). However, your Committee has been advised that 15 South, pursuant to its rights under the Lease Agreement, assigned the Lease Agreement to the Landlord upon 15 South’s sale of the Leased Premises to the Landlord.

Your Committee has been advised that, based upon the Local Law, the Lease Agreement had an initial term of ten (10) years, which was to commence upon the completion of certain renovations agreed upon by the County and the Landlord. Your Committee has been advised

that, accordingly, the initial term ultimately commenced on January 1, 2014, and will, therefore, expire on December 31, 2023.

Your Committee has been advised that, based upon the Local Law, the Lease Agreement specifies that the County has two (2) options, each of which would extend the term of the Lease Agreement by an additional five (5) years, on specified cost terms.

Your Committee has been advised that WCC now desires that the County exercise the first option under the Lease Agreement (the “First Option”) and thereby extend its term by five (5) years, to a new expiration date of December 31, 2028.

Your Committee has been advised that, based upon the Local Law, the Lease Agreement provides that the ‘fixed rent’ would be \$20.29 per rentable square foot per annum for the term of the First Option. Your Committee has been advised that, based upon the Local Law, the Lease Agreement provides that the rentable square footage of the Leased Premises is 22,000 feet. Your Committee has been advised that, accordingly, for each year of the term of the First Option, the ‘fixed rent’ would be \$446,380.00, with said rent being a total of \$2,231,900.00 for the full five (5) year period of the First Option.

Your Committee has been advised that, under the Lease Agreement, during the term of the First Option, the County will also: (a.) be responsible for all costs, expenses, and fees relating to the maintenance, repair, and replacement of the non-structural elements (e.g., painting, carpeting, etc.) of the Leased Premises, with respect to which the Landlord will perform the work

and bill the costs, expenses, and fees thereof to the County as additional rent; (b.) since the premises are now subject to a condominium regime in which the Leased Premises are one (1) condominium unit, the County shall be responsible for payment of one hundred percent (100%) of the taxes levied on the condominium unit comprising the Leased Premises, but which obligation of the County was capped at \$100,000.00 in the first year of the initial term, and which cap has, for each subsequent year of the lease term, increased by the same percentage as the aggregate real estate taxes for the one (1) condominium unit; and (c.) pay for all water, electrical current, and gas for heating used in connection with the Leased Premises.

The Planning Department has advised that, based on its review, authorizing the County to exercise its First Option under the Lease Agreement may be classified as a “Type II” action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (“SEQRA”). Therefore, no environmental review is required. Your Committee has reviewed the attached SEQRA documentation prepared by the Planning Department and concurs with this recommendation.

Your Committee has been advised that, due to the First Option having been provided for by the Local Law authorizing the Lease Agreement, your Honorable Board may now, by act, authorize the County to exercise that option. Your Committee has been advised that an affirmative vote of a majority of the members of your Honorable Board is required in order to adopt the attached proposed Act.

After due consideration, your Committee recommends the adoption of the proposed Act.

Date: _____, 2023

White Plains, New York

COMMITTEE ON

C BDM-073123

FISCAL IMPACT STATEMENT

SUBJECT: WCC Mt. Vernon Lease

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ _____ -

Total Current Year Revenue \$ _____ -

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 701-8221-5432000 (Rental & Taxes)

For rent plus Additional Rent consisting primarily of pro rata share of taxes

Potential Related Operating Budget Expenses: Annual Amount \$446,380

Describe: 1/1/24-8/31/24 FY23-24 \$297,586.67 ; 9/1/24-8/31/25 FY24-25 \$446,380.00 ;

9/1/25-8/31/26 FY25-26 \$446,380.00 ; 9/1/26-8/31/27 FY26-27 \$446,380.00 ;

9/1/27-8/31/28 FY27-28 \$446,380.00 ; 9/1/28-12/31/28 FY28-29 \$148,793.33

Potential Related Operating Budget Revenues: Annual Amount _____

Describe: Rental Reimbursement from SUNY approximately 40% of rent ; Tuition from credit courses ; Tuition from non-credit courses

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: _____

Next Four Years: _____

Prepared by: Stewart Glass

Title: Director of Contracting & Procurement

Department: Westchester Community College


Date: July 11, 2023

Reviewed By: 

Budget Director

Date: 7/31/23

TO: Brian Miller, Senior Assistant County Attorney
Department of Law

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

DATE: July 27, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR WESTCHESTER
COMMUNITY COLLEGE LEASE - 15 SOUTH 5TH AVE, MOUNT VERNON**

PROJECT/ACTION: Exercise a first option under a lease agreement with Enclave On 5th Commercial, LLC to continue leasing approximately 22,000 square feet of space in the building located at 15 South 5th Avenue in Mount Vernon, along with approximately 31 parking spaces, for the operation of a satellite campus by the Westchester Community College. The option will extend the lease by 5 years.

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)(32):**
license, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities
-

COMMENTS: None

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Blanca Lopez, Acting Commissioner
Claudia Maxwell, Associate Environmental Planner

ACT NO. 2023-_____

An Act authorizing the County of Westchester to exercise its first option under a lease agreement with Enclave On 5th Commercial, LLC, pursuant to which the lessor leased to the County approximately twenty-two thousand (22,000) square feet of space in the building located at 15 South 5th Avenue in Mount Vernon, as well as approximately 31 parking spaces, to be used and occupied by Westchester Community College, for the purpose of operating a satellite campus.

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

Section 1. The County of Westchester (the “County”) is hereby authorized to exercise its first option (the “First Option”) under a lease agreement with Enclave On 5th Commercial, LLC (the “Landlord”), pursuant to which the Landlord leased to the County approximately twenty-two thousand (22,000) square feet of space in the building located at 15 South 5th Avenue in Mount Vernon, as well as approximately 31 parking spaces, (the “Leased Premises”) to be used and occupied by WCC for the purpose of operating a satellite campus, for an initial term of ten (10) years, which commenced on January 1, 2014, and will, therefore, expire on December 31, 2023, with the County having two (2) options, each of which would extend the term of the agreement by an additional five (5) years, on specified cost terms, (the “Lease Agreement”) and thereby extend its term by five (5) years, to a new expiration date of December 31, 2028.

§2. Pursuant to the terms of the Lease Agreement, the ‘fixed rent’ shall be \$20.29 per rentable square foot per annum for the term of the First Option, with the rentable square footage of the Leased Premises being 22,000 feet. Accordingly, for each year of the term of the First Option, the ‘fixed rent’ shall be \$446,380.00, with said rent being a total of \$2,231,900.00 for the full five (5) year period of the First Option.

§3. Pursuant to the terms of the Lease Agreement, during the term of the First Option, the County shall also: (a.) be responsible for all costs, expenses, and fees relating to the maintenance, repair, and replacement of the non-structural elements (e.g., painting, carpeting, etc.) of the Leased Premises, with respect to which the Landlord will perform the work and bill the costs, expenses, and fees thereof to the County as additional rent; (b.) since the premises are now subject to a condominium regime in which the Leased Premises are one (1) condominium unit, the County shall be responsible for payment of one hundred percent (100%) of the taxes levied on the condominium unit comprising the Leased Premises, but which obligation of the County was capped at \$100,000.00 in the first year of the initial term, and which cap has, for each subsequent year of the lease term, increased by the same percentage as the aggregate real

estate taxes for the one (1) condominium unit; and (c.) pay for all water, electrical current, and gas for heating used in connection with the Leased Premises.

§4. The County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to carry out the purposes of this Act.

§5. This Act shall take effect immediately.

Westchester County

George Latimer
County Executive

August 11, 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 a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$150,000 to finance a component of the following capital project:

WCC82 – Site Upgrade – Campus Wide ("WCC82").

The Bond Act, in the amount of \$150,000, would finance the County's 50% share of Phase IV of WCC82. This phase will provide additional funding for car charging stations.

Westchester Community College (the "College") has advised that the total cost of Phase IV is \$300,000, of which 50% will be funded by New York State and 50% by the County.

Following bonding authorization, the project is anticipated to be completed within approximately 24 months and will be performed by a consultant.

Your Committee is advised that your Honorable Board has previously authorized bonding in connection with prior phases of WCC82 as indicated on the annexed fact sheet.

The Planning Department has advised that based on its review, the above-referenced 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.

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

GL/BM/DG/cmc/nn

Office of the County Executive
Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Email: CE@WestchestCountyNY.gov
Telephone: (914)995-2900

WestchesterCountyNY.gov

**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 \$150,000, to finance a component of capital project WCC82 – WCC82 – Site Upgrade – Campus Wide (“WCC82”).

The Bond Act, prepared by the law firm of Hawkins Delafield and Wood, LLP, would finance the County’s 50% share of Phase IV of WCC82. This phase will provide additional funding for car charging stations.

Westchester Community College (the “College”) has advised that the total cost of Phase IV is \$300,000, of which 50% will be funded by New York State and 50% by the County.

Following bonding authorization, the project is anticipated to be completed within approximately 24 months and will be performed by a consultant.

Your Committee is advised that your Honorable Board has previously authorized bonding in connection with prior phases of WCC82 as indicated on the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, the above-referenced 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. 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

cmc 08.11.23

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC82

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 \$ 150,000 PPU 5 Anticipated Interest Rate 2.98%

Anticipated Annual Cost (Principal and Interest): \$ 33,109

Total Debt Service (Annual Cost x Term): \$ 165,545

Finance Department: Interest rates from August 17, 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 Operating 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: 1

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Dawn Gillins

Title: Assistant VP/Controller


Department: Westchester Community College

Date: 8/31/23

Reviewed By: 
Budget Director

Date: 9/6/23

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: August 14, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
WCC82 SITE UPGRADE – CAMPUS WIDE**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 07-19-2023 (Unique ID: 2252)

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.

COMMENTS: None.

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 Cirillo, Director of Physical Plant, Westchester Community College
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$150,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE IV OF THE WESTCHESTER COMMUNITY COLLEGE SITE UPGRADE-CAMPUS WIDE PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$300,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$150,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$150,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF 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, \$150,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance Phase IV of the Westchester Community College Site Upgrade-Campus Wide Project, to provide additional funding for car

charging stations; 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 \$300,000. The plan of financing includes the issuance of \$150,000 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, and the application of \$150,000 expected to be received from the State of New York to be expended towards the cost of said object or purpose or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the object or purpose for which said \$150,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 35 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 \$150,000. 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 \$300,000 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 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__

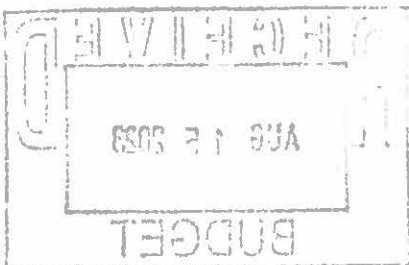
BOND ACT AUTHORIZING THE ISSUANCE OF \$150,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE IV OF THE WESTCHESTER COMMUNITY COLLEGE SITE UPGRADE-CAMPUS WIDE PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$300,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$150,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$150,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__)

object or purpose: to finance Phase IV of the Westchester Community College Site Upgrade-Campus Wide Project, to provide additional funding for car charging stations; 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: \$150,000; 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:* WCC82	<input type="checkbox"/> CBA	Fact Sheet Date:* 07-05-2023
Fact Sheet Year:* 2023	Project Title:* SITE UPGRADE - CAMPUS WIDE	Legislative District ID: 3,
Category* WCC - BUILDINGS	Department:* COMMUNITY COLLEGE	CP Unique ID: 2252

Overall Project Description

This campus wide project will address parking lot issues and site improvements throughout the campus. This project will focus on parking and general site improvements throughout the surrounding buildings on campus.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2023-24	2024-25	2025-26	2026-27	2027-28	Under Review
Gross	17,049	3,931	4,200	0	4,200	4,718	0	0
Less Non-County Shares	8,524	1,965	2,100	0	2,100	2,359	0	0
Net	8,525	1,966	2,100	0	2,100	2,359	0	0

Expended/Obligated Amount (in thousands) as of : 2,257

Current Bond Description: Current bonding approval is necessary to fund the County's 50% share of this portion of phase 4 of the Site Upgrade - Campus Wide project. The portion of this phase will provide additional funding for car charging stations.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 150,000
Bonds/Notes:	150,000
Cash:	0
Total:	\$ 300,000

SEQR Classification:

TYPE II

Amount Requested:

150,000

Expected Design Work Provider:

- | | | |
|---------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> County Staff | <input type="checkbox"/> Consultant | <input type="checkbox"/> Not Applicable |
|---------------------------------------|-------------------------------------|---|

Comments:

The amount appropriated for this portion of Phase 4 is \$300,000. This bonding request in the amount of \$150,000 represents the County's 50% share of approved Capital Project WCC82 - Site Upgrade - Campus Wide (Area Four Phase). New York State has approved funding on the remaining 50%.

Energy Efficiencies:

CAR CHARGING STATIONS

Appropriation History:

Year	Amount	Description
2015	1,626,000	AREA ONE PARKING LOT IMPROVEMENTS
2017	751,000	AREA TWO PARKING LOT IMPROVEMENTS
2019	862,000	AREA THREE PARKING LOT IMPROVEMENTS
2021	392,000	AREA FOUR PARKING LOT IMPROVEMENTS
2023	300,000	AREA FOUR PARKING LOT IMPROVEMENTS ADDITIONAL

Total Appropriation History:

3,931,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
16	345	813,000	813,000	PARKING LOT AND RELATED SITE IMPROVEMENTS
19	232	376,000	242,945	WCC CONSTRUCTION OF PARKING LOT FACILITIES AND RELATED SITE IMPROVEMENTS
21	140	431,000	0	STUDENT CENTER & PE , LOTS 9 & 10, CAMPUS LOOP ETC
23	34	196,000	0	SITE UPGRADE CAMPUS WIDE

Total Financing History:

1,816,000

Recommended By:

Department of Planning **Date**
MLLL 07-19-2023

Department of Public Works **Date**
RJB4 07-20-2023

Budget Department **Date**
DEV9 07-20-2023

Requesting Department **Date**
DAGX 07-24-2023

Westchester County

George Latimer
County Executive

September 8, 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 a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$1,011,000 to finance a component of the following capital project:

WCC88 – Maintenance Building Infrastructure Upgrade ("WCC88").

The Bond Act, in the amount of \$1,011,000, would finance the County's 50% share of the cost of the initial phase of the Maintenance Building Infrastructure Upgrade project at the Westchester Community College ("College") campus.

The College has advised that the total amount appropriated for this component of WCC88 is \$2,022,000. This bond request, in the amount of \$1,011,000, represents the County's 50% share of this component of the project. The remaining 50% will be funded by New York State. The College has further advised that the Maintenance Building was formerly used as a residence for the Site Superintendent but is now used as storage space. The College's Master Plan calls for the former residence to be renovated for full storage space.

Following bonding authorization, design will be scheduled and is anticipated to take twelve (12) months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized bonding for the initial phase of this project as set forth in the attached fact sheet

The Planning Department has advised that based on its review, WCC88 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,

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

George Latimer
County Executive

GL/BM/DG/jpg/nn

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (“Bond Act”) in the amount of \$1,011,000 to finance a component of capital project WCC88 – Maintenance Building Infrastructure Upgrade (“WCC88”). The Bond Act, which was prepared by the law firm Harris Beach, PLLC, will finance the County’s 50% share of the cost of the initial phase of the Maintenance Building Infrastructure Upgrade Project at the Westchester Community College (“College”) campus.

The College has advised that the total amount appropriated for this component of WCC88 is \$2,022,000. This bond request, in the amount of \$1,011,000, represents the County’s 50% share of this component of the project. The remaining 50% will be funded by New York State. The College has further advised that the Maintenance Building was formerly used as a residence for the Site Superintendent but is now used as storage space. The College’s Master Plan calls for the former residence to be renovated for full storage space.

Following bonding authorization, design will be scheduled and is anticipated to take twelve (12) months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take eighteen (18) 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, WCC88 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

c/jpg/7-12-23

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC88

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 \$ 1,011,000 PPU 15 Anticipated Interest Rate 3.27%

Anticipated Annual Cost (Principal and Interest): \$ 86,112

Total Debt Service (Annual Cost x Term): \$ 1,291,673

Finance Department: Maab 8-30-23

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 Operating 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: 10

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Dawn Gillins

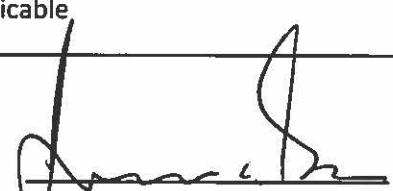
Title: Assistant VP/Controller

Department: WCC

Date: 8/31/23

Reviewed By:

2/9/1/23




Budget Director

Date:

9/6/23

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: August 25, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
WCC88 MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 07-11-2023 (Unique ID: 2253)

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.
-

COMMENTS: None.

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 Cirillo, Director of Physical Plant, Westchester Community College
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,011,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE PROJECT AT THE WESTCHESTER COMMUNITY COLLEGE CAMPUS; STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$2,022,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,011,000 BONDS HEREIN AUTHORIZED TO FINANCE THE COUNTY'S SHARE OF SUCH COST AND APPLICATION OF \$1,011,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TOWARDS THE COST OF SAID OBJECTS OR PURPOSES; 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 Third-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, \$1,011,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the Maintenance Building Infrastructure Upgrade Project at the Westchester Community College campus; 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 \$2,022,000. The plan of financing includes the issuance of \$1,011,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, application of \$1,011,000 expected to be received from the State of New York to be expended towards the cost of said objects or purposes, and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The existing building is of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued, within the limitations of Section 11.00 a. 12.(a)(2) 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 \$1,011,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes

or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 5. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

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 \$1,011,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE PROJECT AT THE WESTCHESTER COMMUNITY COLLEGE CAMPUS, STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$2,022,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,011,000 BONDS HEREIN AUTHORIZED TO FINANCE THE COUNTY'S SHARE OF SUCH COST AND APPLICATION OF \$1,011,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TOWARDS THE COST OF SAID OBJECTS OR PURPOSES; 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 the Maintenance Building Infrastructure Upgrade Project at the Westchester Community College campus; at the estimated maximum cost of \$2,022,000; 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: \$1,011,000; fifteen (15) 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



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CAPITAL PROJECT FACT SHEET

Project ID:* WCC88	<input type="checkbox"/> CBA	Fact Sheet Date:* 07-05-2023
Fact Sheet Year:* 2023	Project Title:* MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE	Legislative District ID: 3,
Category* WCC - BUILDINGS	Department:* COMMUNITY COLLEGE	CP Unique ID: 2253

Overall Project Description

The Maintenance Building Upgrade Project Phase II is in the amount of \$2,022,000. Maintenance I was constructed in 1932 at 2,448 sq. ft. this is utilized as a vehicle service garage. The Maintenance Building 3 was constructed in 1933 at 24,459 sq. ft. and houses the physical plant, facilities and receiving departments.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" 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	2023-24	2024-25	2025-26	2026-27	2027-28	Under Review
Gross	4,458	2,730	1,728	0	0	0	0	0
Less Non-County Shares	2,229	1,365	864	0	0	0	0	0
Net	2,229	1,365	864	0	0	0	0	0

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

Current Bond Description: Current bonding approval is necessary to fund the County's 50% share of this initial phase of the Maintenance Building Infrastructure Upgrade project. This phase addresses the infrastructure of the Maintenance House. The master plan calls for the house to be renovated for full storage space.

Financing Plan for Current Request:

Non-County Shares:	\$ 1,011,000
Bonds/Notes:	1,011,000
Cash:	0
Total:	\$ 2,022,000

SEQR Classification:

TYPE II

Amount Requested:

1,011,000

Expected Design Work Provider:

- County Staff
 Consultant
 Not Applicable

Comments:

The amount appropriated for the design and construction of this phase is \$2,022,000. This bonding request is in the amount of \$1,011,000 and represents the County's 50% share of approved Capital Project WCC88 - Maintenance Building Infrastructure Upgrade. New York State has approved funding on the remaining 50%.

Energy Efficiencies:

Westchester County

George Latimer
County Executive

August 23, 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 a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$50,000 to finance a component of the following capital project:

WCC90 – Technology Upgrade Off Campus 2017/18 – 2021/22 ("WCC90").

The Bond Act, in the amount of \$50,000, would finance the County's 50% share of Phase IV of WCC90. This phase will address the need to replace digital signage, media equipment, laptops, PCs, printers, and phones, which are all on a five-year replacement cycle.

Westchester Community College (the "College") has advised that the total cost of Phase IV is \$100,000, of which 50% will be funded by New York State and 50% by the County.

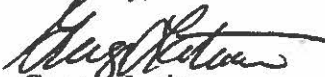
Following bonding authorization, the project is anticipated to be completed within approximately twenty-four (24) months and will be performed by in-house staff.

Your Committee is advised that your Honorable Board has previously authorized bonding in connection with prior phases of WCC90 as indicated on the annexed fact sheet.

The Planning Department has advised that based on its review, the above-referenced 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.

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

GL/BM/DG/jpg/nn

Office of the County Executive
Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Telephone: (914) 995-2900

**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 \$50,000, to finance a component of capital project WCC90 – Technology Upgrade Off Campus 2017/18 – 2021/22 (“WCC90”).

The Bond Act, prepared by the law firm of Hawkins Delafield and Wood, LLP, would finance the County’s 50% share of Phase IV of WCC90. This phase will address the need to replace digital signage, media equipment, laptops, PCs, printers, and phones, which are all on a five-year replacement cycle.

Westchester Community College (the “College”) has advised that the total cost of Phase IV is \$100,000, of which 50% will be funded by New York State and 50% by the County.

Following bonding authorization, the project is anticipated to be completed within approximately twenty-four (24) months and will be performed by in-house staff.

Your Committee is advised that your Honorable Board has previously authorized bonding in connection with prior phases of WCC90 as indicated on the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, the above-referenced 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. 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

jpg 07-12-23

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC90

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 \$ 50,000 PPU 5 Anticipated Interest Rate 2.98%

Anticipated Annual Cost (Principal and Interest): \$ 11,036

Total Debt Service (Annual Cost x Term): \$ 55,180

Finance Department: Interest rates from August 17, 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 Operating 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:

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Dawn Gillins

Title: Assistant VP/Controller

Department: WCC

Date: 8/31/23

Reviewed By:


DV 9/1/23

[Signature]
Budget Director

Date:

9/1/23

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: August 14, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
WCC90 TECHNOLOGY UPGRADE OFF CAMPUS 2017/18-2021/22**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 07/11/2023 (Unique ID: 2255)

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)(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: None.

DSK/dvw

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 Cirillo, Director of Physical Plant, Westchester Community College
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$50,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE IV OF THE WESTCHESTER COMMUNITY COLLEGE TECHNOLOGY UPGRADE-OFF CAMPUS PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$100,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$50,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$50,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF 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, \$50,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance Phase IV of the Westchester Community College technology upgrade-off campus program, including the replacement of digital

signage, media equipment, laptop, PC, printer, and phones, 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 \$100,000. The plan of financing includes the issuance of \$50,000 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, and the application of \$50,000 expected to be received from the State of New York to be expended towards the cost of said objects or purposes or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the class of objects or purposes for which said \$50,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 35 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 \$50,000. 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 \$100,000 as the estimated total cost of the aforesaid class of objects or purposes is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

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 \$50,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE IV OF THE WESTCHESTER COMMUNITY COLLEGE TECHNOLOGY UPGRADE-OFF CAMPUS PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$100,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$50,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$50,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__).

object or purpose: to finance Phase IV of the Westchester Community College technology upgrade-off campus program, including the replacement of digital signage, media equipment, laptop, PC, printer, and phones, 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.

amount of obligations to be issued and period of probable usefulness: \$50,000; 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:* WCC90	<input type="checkbox"/> CBA	Fact Sheet Date:* 07-05-2023
Fact Sheet Year:* 2023	Project Title:* TECHNOLOGY UPGRADE OFF CAMPUS 2017/18-2021/22	Legislative District ID: 3,
Category* WCC - BUILDINGS	Department:* COMMUNITY COLLEGE	CP Unique ID: 2255

Overall Project Description

The College as most centers of higher education, is under increasing pressure to offer the basic technological support services required by today's society. Long term considerations must be given to adequately plan for the introduction of new technologies. The scope of this project supports the modest programs which introduces new and replacement technologies at the colleges off campus locations. This endeavor is essential for WCC to remain competitive in the future. It will enable the College to maintain its commitment to providing the high level of instruction expected by the residents of Westchester County and all those who attend.

- | | | |
|---|--|---|
| <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	2023-24	2024-25	2025-26	2026-27	2027-28	Under Review
Gross	500	500	0	0	0	0	0	0
Less Non-County Shares	250	200	50	0	0	0	0	0
Net	250	300	-50	0	0	0	0	0

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

Current Bond Description: Current bonding approval is necessary to fund the County's 50% share of \$50,000 of Phase IV of the Technology Upgrade Off Campus. This project will address the need to replace digital signage, media equipment, laptop, pc, printer, and phone replacement which are all on a five year replacement cycle.

Financing Plan for Current Request:

Non-County Shares:	\$ 50,000
Bonds/Notes:	50,000
Cash:	0
Total:	\$ 100,000

SEQR Classification:
TYPE II

Amount Requested:
50,000

Expected Design Work Provider:

- County Staff
 Consultant
 Not Applicable

Comments:

The amount appropriated for Phase IV is \$100,000. This bonding requests is in the amount of \$50,000 and represents the County's 50% share of approved Capital Project WCC90 Technology Upgrade Off Campus. The state has approved funding on the remaining 50%.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2017	100,000	TECHNOLOGY UPGRADE OFF CAMPUS PH I
2018	100,000	TECHNOLOGY UPGRADE OFF CAMPUS PH II
2019	100,000	TECHNOLOGY UPGRADE OFF CAMPUS PH III
2020	100,000	TECHNOLOGY UPGRADE OFF CAMPUS PH IV
2021	100,000	TECHNOLOGY UPGRADE OFF CAMPUS PH V

Total Appropriation History:

500,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	98	50,000		0 TECHNOLOGY UPGRADE OFF CAMPUS 2017/18-2021/22
22	18	50,000		0 TECHNOLOGY UPGRADE OFF CAMPUS 2017/18-2021/22
23	36	50,000		0 TECHNOLOGY UPGRADE OFF CAMPUS

Total Financing History:

150,000

Recommended By:

Department of Planning
MLLL

Date
07-11-2023

Department of Public Works
RJB4

Date
07-11-2023

Budget Department
DEV9

Date
07-13-2023

Requesting Department
DAGX

Date
07-13-2023

Westchester County

2023-393

George Latimer
County Executive

August 23, 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 a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$600,000 to finance the following capital project:

WCC91 – Technology Upgrade On-Campus 2017/18-2021/22 ("WCC91").

The Bond Act, in the amount of \$600,000, would finance the County's approximately 50% share of the cost of Phase IV of WCC91. This phase will include academic technology initiatives, Storage Area Network growth and replacement of media equipment; wireless enhancements, firewall replacement and digital signage replacement. It also includes laptops, PCs, phones, printers, scanners, servers, switches, tape drives, and UPS wireless, which are mostly on a five-year replacement cycle.

Westchester Community College (the "College") has advised that the total cost of Phase IV is \$1,200,000, of which 50% will be funded by New York State and 50% by the County.

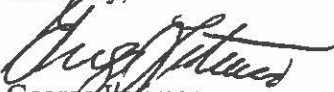
Following receipt by the College of State funds and bonding authorization from the County, the College anticipates that the work will be completed within approximately twenty-four (24) months. It is anticipated that installation will be accomplished by in-house staff.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with prior phases of WCC91 as indicated in the annexed fact sheet.

The Planning Department has advised that based on its review, WCC91 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

GL/BM/DG/jpg/nn

Office of the County Executive
Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Telephone: (914) 995-2900

**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 \$600,000, to finance a component of capital project WCC91 – Technology Upgrade On-Campus 2017/18-2021/22 (“WCC91”).

The Bond Act, prepared by the law firm Hawkins, Delafield & Wood, will finance the County’s approximately 50% share of the cost of Phase IV of project WCC91. Westchester Community College (the “College”) has advised that this phase will include academic technology initiatives, Storage Area Network growth and replacement of media equipment; wireless enhancements, firewall replacement and digital signage replacement. It also includes laptops, PCs, phones, printers, scanners, servers, switches, tape drives, and UPS wireless, which are mostly on a five-year replacement cycle.

Your Committee is advised that the total cost of Phase IV is \$1,200,000, of which 50% will be funded by New York State and 50% by the County.

Following receipt by the College of State funds and bonding authorization from the County, the College anticipates that the work will be completed within approximately twenty-four (24) months. It is anticipated that installation will be accomplished by in-house staff.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with prior phases of WCC91 as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, WCC91 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

c:\jng 07-13-23

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC91

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 \$ 600,000 PPU 5 Anticipated Interest Rate 2.98%

Anticipated Annual Cost (Principal and Interest): \$ 132,436

Total Debt Service (Annual Cost x Term): \$ 662,180

Finance Department: Interest rates from August 17, 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 operating 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:

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Dawn Gillins

Title: Assistant VP/Comptroller

Department: WCC


Date: 8/30/23

Reviewed By: 

Budget Director

Date: 9/6/23

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: August 14, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
WCC91 TECHNOLOGY UPGRADE ON-CAMPUS 2017/18-2021/22**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 07/11/2023 (Unique ID: 2256)

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)(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: None.

DSK/dvw

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 Cirillo, Director of Physical Plant, Westchester Community College
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE IV OF THE WESTCHESTER COMMUNITY COLLEGE TECHNOLOGY UPGRADE-ON CAMPUS PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$600,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$600,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF 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, \$600,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance Phase IV of the Westchester Community College technology upgrade-on campus program including Academic Technology

Initiatives, SAN Growth and Replacement Media Equipment Replacement; Wireless Enhancements, Firewall Replacement and Digital Signage Replacement as well as laptops, PC, phone, printer, scanner, server, switch, tape drive, ups and wireless, 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 \$1,200,000. The plan of financing includes the issuance of \$600,000 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, and the application of \$600,000 expected to be received from the State of New York to be expended towards the cost of said objects or purposes or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the class of objects or purposes for which said \$600,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 35 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

\$600,000. 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 \$1,200,000 as the estimated total cost of the aforesaid class of objects or purposes is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a)

the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

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 \$600,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE IV OF THE WESTCHESTER COMMUNITY COLLEGE TECHNOLOGY UPGRADE-ON CAMPUS PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$600,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$600,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__)

object or purpose: to finance Phase IV of the Westchester Community College technology upgrade-on campus program including Academic Technology Initiatives, SAN Growth and Replacement Media Equipment Replacement; Wireless Enhancements, Firewall Replacement and Digital Signage Replacement as well as laptops, PC, phone, printer, scanner, server, switch, tape drive, ups and wireless, 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.

amount of obligations to be issued and period of probable usefulness: \$600,000; 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:* WCC91	<input type="checkbox"/> CBA	Fact Sheet Date:* 07-05-2023
Fact Sheet Year:* 2023	Project Title:* TECHNOLOGY UPGRADE ON-CAMPUS 2017/18-2021/22	Legislative District ID: 3,
Category* WCC - BUILDINGS	Department:* COMMUNITY COLLEGE	CP Unique ID: 2256

Overall Project Description

Westchester Community College provides educational instruction to approximately 22,000 students each year. Such services must be supported in one way or another by technology. This project provides funding for the equipment and installation of state of the art technology at the Valhalla Campus. The purpose is to give long term consideration to assuring the College can keep up with the rapid and on-going changes which occur with information and educational technologies. It will enable the college to maintain its commitment to providing the high level of instruction expected by the residents of Westchester County and all those who attend.

- | | | |
|---|--|---|
| <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	2023-24	2024-25	2025-26	2026-27	2027-28	Under Review
Gross	6,236	6,236	0	0	0	0	0	0
Less Non-County Shares	3,118	2,418	700	0	0	0	0	0
Net	3,118	3,818	-700	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 22

Current Bond Description: Current bonding approval is necessary to fund the County's 50% share of Phase IV of the Technology Upgrade - On Campus. The project costs for this phase totals \$1,200,000 which supports the comprehensive and long range plan for the preservation and enhancement of technology at the main campus in Valhalla. This phase will include Academic Technology Initiatives, SAN Growth and Replacement Media Equipment Replacement; Wireless Enhancements, Firewall Replacement and Digital Signage Replacement. It also includes laptops, pc, phone, printer, scanner, server, switch, tape drive, ups, wireless which are mostly on a 5 year replacement cycle.

Financing Plan for Current Request:

Non-County Shares:	\$ 600,000
Bonds/Notes:	600,000
Cash:	0
Total:	\$ 1,200,000

SEQR Classification:

TYPE II

Amount Requested:

600,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:

The amount appropriated for Phase IV is \$1,200,000. This bonding request in the amount of \$600,000 represents the County's 50% share of approved Capital Project WCC91 Technology Upgrade On Campus. The state has approved funding on the remaining 50%.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2017	1,236,000	TECHNOLOGY UPGRADE ON CAMPUS PH 1
2018	1,200,000	TECHNOLOGY UPGRADE ON CAMPUS PH 2
2019	1,200,000	TECHNOLOGY UPGRADE ON CAMPUS PH III
2020	1,200,000	TECHNOLOGY UPGRADE ON CAMPUS PH IV
2021	1,400,000	TECHNOLOGY UPGRADE ON CAMPUS PH V

Total Appropriation History:

6,236,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	99	618,000		0 TECHNOLOGY UPGRADE OFF CAMPUS 2017/18-2021/22
22	19	600,000		0 TECHNOLOGY UPGRADE OFF CAMPUS 2017/18-2021/22
23	37	600,000		0 TECHNOLOGY UPGRADE ON-CAMPUS

Total Financing History:

1,818,000

Recommended By:

Department of Planning
MLLL

Date
07-11-2023

Department of Public Works
RJB4

Date
07-11-2023

Budget Department
DEV9

Date
07-13-2023

Requesting Department
DAGX

Date
07-13-2023