

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$3,750,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE COSTS OF CONSTRUCTION FOR THE OUTFALL NO. 7 STORM DRAIN REPLACEMENT PROJECT AT THE COUNTY AIRPORT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,750,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted, _____, 20__)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$3,750,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance costs of construction for the Outfall No. 7 Storm Drain Replacement Project at the County Airport; all as set forth in the County's current year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the current year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the

financing thereof is \$3,750,000. The plan of financing includes the issuance of \$3,750,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 4 of the Law, is thirty (30) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$3,750,000. 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__.

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

(SEAL)

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.

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object or purpose: to finance costs of construction for the Outfall No. 7 Storm Drain Replacement Project at the County Airport; all as set forth in the County's current year Capital Budget, as amended.

amount of obligations to be issued:

and period of probable usefulness: \$3,750,000; thirty (30) years

Dated: _____, 20__
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

Project ID:* A042C	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 10-09-2020
Fact Sheet Year:* 2020	Project Title:* STORM WATER MANAGEMENT PROGRAM	Legislative District ID: 6,
Category* AIRPORT	Department:* AIRPORT/DOT	CP Unique ID: 1583

Overall Project Description

This project provides for the continuation of the Airport's Stormwater Management Program.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2020	2021	2022	2023	2024	Under Review
Gross	14,200	750	1,000	8,700	0	0	0	3,750
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	14,200	750	1,000	8,700	0	0	0	3,750

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

Current Bond Description: This request funds construction and construction management for the Outfall No. 7 Storm Drain Replacement project at Westchester County Airport.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	3,750,000
Cash:	0
Total:	\$ 3,750,000

SEQR Classification:

TYPE II

Amount Requested:

3,750,000

Comments:

The Department of Public Works and Transportation is requesting a CBA for the amount listed Under Review. The Department is advising that this work is a required component of the DEC Order on Consent No. CO 3-20180308-44 for water quality violations at Westchester County Airport.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2015	500,000	DESIGN AND CONSTRUCTION IMPROVEMENTS AT OUTFALL #4
2017	250,000	ADDITIONAL CONSTRUCTION COSTS.
2020	1,000,000	DESIGN OF NEW FOREBAYS AT BOTH BASINS A & B, RELOCATION OF INLET PIPING AND THE DREDGING OF BASIN A

Total Appropriation History:

1,750,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
20	49	1,000,000	0	COST OF PLANNING STORM WATER MANAGEMENT IN WESTCHESTER COUNTY AIRPORT

Total Financing History:

1,000,000

Recommended By:

Department of Planning
WBB4

Date
10-29-2020

Department of Public Works
RJB4

Date
10-29-2020

Budget Department
LMY1

Date
11-04-2020

Requesting Department
GAM4

Date
11-04-2020

STORM WATER MANAGEMENT PROGRAM (A042C)

User Department : Airport/DOT
Managing Department(s) : Airport/DOT ; Public Works ;
Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2020	2021	2022	2023	2024	Under Review
Gross	10,450	750		1,000	8,700				
Non County Share									
Total	10,450	750		1,000	8,700				

Project Description

This project provides for the continuation of the Airport's Stormwater Management Program.

Current Year Description

The current year request funds design of new forebays at both basins A & B, relocation of inlet piping and the dredging of basin A.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2020	1,000,000			1,000,000

Impact on Operating Budget

The impact on the Airport Special Revenue Fund is the debt service associated with the issuance of bonds.

Appropriation History

Year	Amount	Description	Status
2015	500,000	Design and Construction Improvements at Outfall #4	AWAITING BOND AUTHORIZATION
2017	250,000	Additional construction costs.	AWAITING BOND AUTHORIZATION
Total	750,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	750,000		750,000
Total	750,000		750,000