

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

Your Committee is in receipt of an amended bond act (“Amended Bond Act”) in the total amount of \$1,710,000, which includes \$310,000 in previously authorized bonds of the County of Westchester (“County”), to finance Capital Project BCR55 – G-Block Window Replacement (“BCR55”). The Amended Bond Act, which was prepared by the law firm Hawkins, Delafield, & Wood, is required to finance the cost of design, construction, and construction management in connection with the replacement of the security windows and associated masonry and facade in the G-Block first floor of the County Jail.

The Department of Correction (“Department”) has advised that the windows in G-Block are beyond their useful life and in order to maintain security and building integrity, it is necessary to replace them.

Upon receipt by the Department of bonding authorization, design will be scheduled, is anticipated to take five (5) months to complete and will be performed by in-house staff. Construction is estimated to take eight (8) 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 the County to issue bonds to finance a prior component of BCR55 as follows: Bond Act No. 122-2017 in the amount of \$310,000 which financed the design of this project. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 122-2017 be amended to increase the initial amount authorized by \$1,400,000, for a total authorized amount, as amended, of \$1,710,000, to expand the scope of work to include construction and construction management and to increase the period of probable usefulness of said bonds.

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

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Amended Bond Act. Your Committee recommends the adoption of the proposed Amended Bond Act.

Dated: November 8, 2021.
White Plains, New York

Kirk Scarli
Colin O'Connell
Benjamin Boylston

Kirk Scarli
Ruth Walker
Benjamin Boylston
David J. Iubio

Ruth Walker
~~Benjamin Boylston~~
David J. Iubio
K. N. Mc
Arthur

COMMITTEE ON

C.JPG 9 29 21

Public Safety

Public Works &
Transportation

Budget &
Appropriations

Dated: November 8, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Public Safety

Margaret A. Cunzio
Nancy E. Pan
Mary Jane Skomsky
Ty H

Public Works & Transportation

Vedat Galin
Mary Jane Skomsky
Catherine F. Parker
Ty H

Budget & Appropriations

Vedat Galin
Margaret A. Cunzio
Nancy E. Pan
Ty H
Catherine F. Parker
Alfred Willis

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BCR55

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 \$ 1,710,000 PPU 5 Anticipated Interest Rate 0.39%

Anticipated Annual Cost (Principal and Interest): \$ 346,056

Total Debt Service (Annual Cost x Term): \$ 1,730,280

Finance Department: Interest rates from September 30, 2021 Bond Buyer - ASBA

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

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 19

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: William Fallon

Title: Director of Administrative Services

Department: Correction


Date: 10/12/21

Reviewed By: 

Budget Director

Date: 10/14/21

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

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

DATE: September 30, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BCR55 G-BLOCK WINDOW REPLACEMENT**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 09-08-2021 (Unique ID: 1735)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.

COMMENTS: None.

DSK/cnm

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

ACT NO. -20 _____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED JULY 17, 2017 IN RELATION TO THE REPLACEMENT OF THE SECURITY WINDOWS AND ASSOCIATED MASONRY AND FAÇADE IN THE G-BLOCK OF THE JAIL, AT THE MAXIMUM ESTIMATED COST OF \$1,710,000. (Adopted , 20 _____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$310,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the replacement of the security windows and associated masonry and façade in the G-Block of the Jail, pursuant to Act No. 122-2017 duly adopted on July 17, 2017; and

WHEREAS, it is now appropriate to authorize such improvements, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such improvement;

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

Section (A). The bond act duly adopted by this Board on July 17, 2017, entitled:

“ACT NO. 122-2017

BOND ACT AUTHORIZING THE ISSUANCE OF \$310,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE REPLACEMENT OF THE SECURITY WINDOWS AND ASSOCIATED MASONRY AND FAÇADE IN THE G-BLOCK OF THE JAIL; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$310,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$310,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,710,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT OF THE WINDOWS AND ASSOCIATED MASONRY AND FACADE IN THE G-BLOCK FIRST FLOOR OF THE JAIL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,710,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,710,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20____)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto; \$1,710,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the design, construction and construction management of the replacement of the security windows and associated masonry and facade in the G-block first floor of the Jail, 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 \$1,710,000. The plan of financing includes the issuance of \$1,710,000 bonds herein authorized; and any bond anticipation notes issued in anticipation of the sale of such bonds and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of the specific object or purpose for which said \$1,710,000 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

\$1,710,000. 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 \$1,710,000 as the estimated maximum cost of the aforesaid specific object or purpose is hereby approved.

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

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

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

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

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

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

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

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

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

Section (B). The amendment of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

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

* * *

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20____
with the original on file in my office, and that the same is a correct transcript therefrom and of
the whole of the said original Act, which was duly adopted by the County Board of Legislators
of the County of Westchester on , 20____ and approved by the County Executive
on , 20____.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
corporate seal of said County Board of Legislators
this day of , 20____.

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on July 17, 2017 and amended on _____, 20____ and approved, as amended, by the County Executive on _____, 20____ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the amended Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,710,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT OF THE WINDOWS AND ASSOCIATED MASONRY AND FACADE IN THE G-BLOCK FIRST FLOOR OF THE JAIL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,710,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,710,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on July 17, 2017 and amended on _____, 20_____)

object or purpose: to finance the design, construction and construction management of the replacement of the security windows and associated masonry and facade in the G-block first floor of the Jail, 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: \$1,710,000; 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:*
BCR55

CBA

Fact Sheet Date:*
09-07-2021

Fact Sheet Year:*
2021

Project Title:*
G-BLOCK WINDOW REPLACEMENT 3,

Legislative District ID:

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
CORRECTION

CP Unique ID:
1735

Overall Project Description

This project funds the replacement of the all security windows and associated interior and exterior repairs, including masonry facade restoration.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
Gross	4,400	4,200	200	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,400	4,200	200	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 3

Current Bond Description: Bonding is requested for the design, construction, and construction management of this project in order to replace the security windows and associated masonry and facade in the G block first floor of the Jail.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,400,000
Cash:	0
Total:	\$ 1,400,000

SEQR Classification:

TYPE II

Amount Requested:

1,400,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2017	310,000	DESIGN
2018	3,390,000	FUNDS CONSTRUCTION AND CONSTRUCTION MANAGEMENT
2019	300,000	COST ESCALATION
2021	200,000	COST ESCALATION

Total Appropriation History:

4,200,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
17	122	310,000		0 REPLACEMENT OF THE SECURITY WINDOW AND ASSOCIATED MASONRY AND FAÇADE IN THE G BLOCK OF JAIL

Total Financing History:

310,000

Recommended By:

Department of Planning
WBB4

Date
09-08-2021

Department of Public Works
RJB4

Date
09-29-2021

Budget Department
GKGA

Date
09-29-2021

Requesting Department
WPF4

Date
09-29-2021

G-BLOCK WINDOW REPLACEMENT (BCR55)

User Department : Correction
Managing Department(s) : Correction ; Public Works ;
Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	4,200	4,000	3	200					
Non County Share									
Total	4,200	4,000	3	200					

Project Description

This project funds the replacement of the all security windows and associated interior and exterior repairs, including masonry facade restoration.

Current Year Description

The current year request is for cost escalation.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2021	200,000			200,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2017	310,000	Design	DESIGN
2018	3,390,000	Funds construction and construction management	AWAITING BOND AUTHORIZATION
2019	300,000	Cost escalation	AWAITING BOND AUTHORIZATION
Total	4,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	4,000,000		4,000,000
Total	4,000,000		4,000,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
122 17	310,000			310,000
Total	310,000			310,000