

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester ("County") of an act, which, if adopted, will amend the County's current-year capital budget ("Capital Budget Amendment"), as well as adoption of a related bond act ("Bond Act") in the amount of \$2,000,000, to finance capital project BES26 – Replacement of Fire Training Tower ("BES27").

Your Committee is advised that the Capital Budget Amendment will amend the County's current-year Capital Budget to increase the County share for BES27 by \$2,000,000 and to add this specific project to the program funded through BES27.

The Bond Act, in the amount of \$2,000,000, which was prepared by the law firm of Harris Beach PLLC, would finance the design of a new Fire Training Tower, including special studies and administrative reviews and planning for the demolition of the existing Fire Training Tower located at the Department of Emergency Services in Valhalla. The Department of Emergency Services has advised that the existing Fire Training Tower is in very bad condition and has been deemed too dangerous to permit certain, necessary types of interior and exterior training to first responders.

Your Committee is advised that following bonding authorization, it is anticipated that design will take approximately ten (10) months to complete. It is further anticipated that the design will be completed using an outside consultant.

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

The Planning Department has further advised your Committee that the Planning Board has previously reviewed this project and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act may only be enacted following adoption of the Capital Budget Amendment. It should also be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County's Capital Budget and to adopt the Bond Act.

Dated: March 11th, 2024
White Plains, New York

James Z. Johnson
[Signature]
[Signature]
[Signature]
[Signature]
Maryanne
David J. Tubiolo

[Signature]
James Z. Johnson
[Signature]
Maryanne

COMMITTEE ON

C:cmc/02.20.2024

Budget & Appropriations

Public Works & Transportation

Dated: March 11, 2024
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

**BUDGET & APPROPRIATIONS
COMMITTEE**



**PUBLIC WORKS &
TRANSPORTATION COMMITTEE**



FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BES27

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 2,000,000 PPU 5 Anticipated Interest Rate 2.61%

Anticipated Annual Cost (Principal and Interest): \$ 436,566

Total Debt Service (Annual Cost x Term): \$ 2,182,830

Finance Department: Interest from February 21, 2024 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: 21

Prepared by: Richard G. Wishnie

Title: Commissioner

Department: Emergency Services


Date: 2/22/24

Reviewed By: *Christina Raynor*

02/22/24 Budget Director

Date: 2/23/24

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: February 16, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BES27 REPLACEMENT OF FIRE TRAINING TOWER**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 01-22-2024 (Unique ID: 2447)

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:

- **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.
-

COMMENTS: The current request is for studies and design only.

DSK/cnm

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

ACT No. 39 - 2024

An Act amending the 2024 County
Capital Budget Appropriations for
Capital Project BES27 Replacement
of Fire Training Tower

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

Section 1. The Capital section of the 2024 County Budget is hereby amended as follows:

| | Previous 2024 Appropriation | Change | Revised 2024 Appropriation |
|------------------|--------------------------------|-------------|-------------------------------|
| I. Appropriation | \$0 | \$2,000,000 | \$2,000,000 |

Section 2. The estimated method of financing in the Capital Section of the 2024 Westchester County Capital Budget is amended as follows:

II. METHOD OF
FINANCING

| | | | |
|--------------------|------------|--------------------|--------------------|
| Bonds and/or Notes | \$0 | \$2,000,000 | \$2,000,000 |
| Non County Shares | \$0 | | \$0 |
| Cash | \$0 | | \$0 |
| Total | <u>\$0</u> | <u>\$2,000,000</u> | <u>\$2,000,000</u> |

Section 3. The ACT shall take effect immediately.

ACT NO. 40 - 2024

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PLANNING FOR THE DEMOLITION OF THE EXISTING FIRE TRAINING TOWER AND THE CONSTRUCTION OF A NEW FIRE TRAINING TOWER; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,000,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 03/18 , 2024)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$2,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the planning for the demolition of the existing fire training tower and the construction of a new fire training tower, including design, special studies and administrative reviews; 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 \$2,000,000. The plan of financing includes the issuance of \$2,000,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness applicable to the specific object or purpose for which bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 62(2nd) of the Law, is five (5) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$2,000,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and

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

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

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

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

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

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

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

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

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CAPITAL PROJECT FACT SHEET

Project ID:*

BES27

CBA

Fact Sheet Date:*

01-11-2024

Fact Sheet Year:*

2024

Project Title:*

REPLACEMENT OF FIRE TRAINING TOWER

Legislative District ID:

3,

Category*

BUILDINGS, LAND & MISCELLANEOUS

Department:*

EMERGENCY SERVICES

CP Unique ID:

2447

Overall Project Description

This project provides for the design, construction and associated site work, including demolition of the existing Fire Training Tower, with the replacement of a new Fire Training Tower.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

| | Estimated Ultimate Total Cost | Appropriated | 2024 | 2025 | 2026 | 2027 | 2028 | Under Review |
|-------------------------------|-------------------------------|--------------|------|-------|--------|------|------|--------------|
| Gross | 15,750 | 0 | 0 | 2,000 | 13,750 | 0 | 0 | 0 |
| Less Non-County Shares | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Net | 15,750 | 0 | 0 | 2,000 | 13,750 | 0 | 0 | 0 |

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

Current Bond Description: Funding is requested for the design, special studies and administrative reviews associated with the demolition of the existing Fire Training Tower and construction of a new Fire Training Tower.

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

2,000,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:

A Capital Budget Amendment in the amount of \$2,000,000 (shown in year 2025) is being requested in the first quarter of year 2024 to allow for earlier access to begin designing the new Fire Training Tower. The existing Training Tower is bad condition and has been deemed too dangerous to permit interior and exterior training to first responders.

Energy Efficiencies:

Total Financing History:

0

Recommended By:

Department of Planning

MLLL

Date

01-22-2024

Department of Public Works

RJB4

Date

01-22-2024

Budget Department

DEV9

Date

01-23-2024

Requesting Department

KANI

Date

01-23-2024

STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Board of Legislators of the County of Westchester, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on March 18, 2024 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media

Date Given
March 14, 2024

News Channel 12
The Journal News
Hometown Media
CBS2NY
The Examiner News
WABCTV News

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

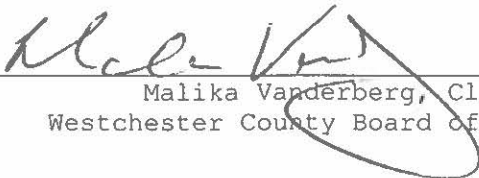
Designated Location(s)
of posted notice

Date of Posting
March 14, 2024

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on March 19, 2024.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

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

AYES: Legislator Jose Alvarado
 Legislator Nancy Barr
 Legislator Benjamin Boykin
 Legislator Terry Clements
 Legislator Margaret Cunzio
 Legislator Vedat Gashi
 Legislator Judah Holstein
 Legislator James Nolan
 Legislator Catherine Parker
 Legislator Erika Pierce
 Legislator Colin Smith
 Legislator David Tubiolo
 Legislator Emiljana Ulaj
 Legislator Shanae Williams
 Legislator Jewel Williams-Johnson
 Legislator Tyrae Woodson-Samuels

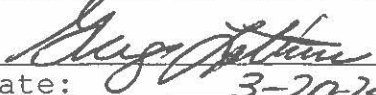
NOES:

ABSENT: Legislator David Imamura

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE



Date: 3-20-24

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

I HEREBY CERTIFY that I have compared the foregoing Act No. 39 - 2024, and (Bond) Act No. 40 - 2024, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original Act, and (Bond) Act, which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on March 18, 2024, and approved by the County Executive on March 20, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 21st day of March, 2024.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

