

Public Safety Meeting Agenda



Committee Chair: Terry Clements

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Tuesday, September 20, 2022

4:15 PM

Committee Room

CALL TO ORDER

Please note: This meeting will be held in person at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 in the McPoland Conference Room # 824 and also remotely via WebEx. Legislators may participate in person or via video conferencing through WebEx. Members of the public are invited to attend the meeting in person at any of its locations or view it online at the Westchester Legislators website: <https://westchestercountyny.legistar.com/Calendar.aspx> this website also has links to the Agenda Packets containing documents to be discussed at the meeting.

Guests: Probation Dept.: Commissioner Rocco Pozzi; Budget Dept: Budget Director Larry Soule; CE's Office: Director of Operations Joan McDonald

MINUTES APPROVAL

September 12th, 2022 9:30 AM Minutes Approval

I. ITEMS FOR DISCUSSION

[2022-477](#) **ACT-2022 Operating Budget Amendment-Woodfield Cottage**

AN ACT authorizing an amendment of the 2022 County Operating Budget in the amount of FIVE MILLION (\$5,000,000) DOLLARS for the Dormitory of the State of New York ("DASNY") project at the site of the Woodfield Cottage Youth Facility.

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

[2022-478](#) **RES-Declaring County's Intent to Reimburse Expenditures from County's Operating Funds with Proceeds of DASNY Bonds**

A RESOLUTION declaring the County of Westchester's ("County") intent to make expenditures as set forth herein for the DASNY Project - Woodfield Cottage.

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

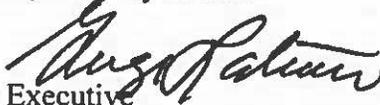
II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

September 9, 2022

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: ACT & RES – DASNY
Project – Woodfield Cottage.

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 12, 2022 Agenda.

Transmitted herewith for your review and approval are an Act authorizing an amendment of the 2022 County Operating Budget in the amount of \$5,000,000.00 and a Resolution declaring the County of Westchester's ("County") intent to make expenditures as set forth herein.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 12, 2022 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

September 9, 2022

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval are an Act authorizing an amendment of the 2022 County Operating Budget in the amount of \$5,000,000.00 and a Resolution declaring the County of Westchester's ("County") intent to make expenditures as set forth herein.

The attached Act contains an increase of \$5,000,000.00 in appropriations in the Probation Department's operating budget and the Miscellaneous Budget. Pursuant to Section 167.121 of the Laws of Westchester County, this Act requires authorization by the Board of Legislators.

The County desires to have the Dormitory of the State of New York ("DASNY") design and construct a new Specialized Secure Detention area (the "Project") at the site of the Woodfield Cottage Youth Facility located at 20 Hammond House Road, Valhalla, New York ("Woodfield Cottage"). DASNY is authorized by New York State law to manage and/or undertake the design, construction, reconstruction and/or rehabilitation of certain detention facilities certified by the New York State Office of Children and Family Services ("OCFS"). Woodfield Cottage is a facility certified by OCFS.

The County expects to finance the Project on a long-term basis with proceeds of tax-exempt bonds issued by DASNY to be addressed under separate agreements which are not the subject of this legislation. DASNY anticipates that it will issue these bonds sometime next year. In order to facilitate the commencement of the Project's design and construction, the proposed Act is necessary to enable the County to cover up to Five Million (\$5,000,000.00) Dollars of the initial costs of the Project which will be incurred prior to the receipt of the proceeds of the DASNY bonds. Upon issuance of the bonds, DASNY will reimburse the County for any operating funds advanced for the Project.

In order to enable DASNY to proceed with commencement of the Project, DASNY requires the proposed Resolution declaring the County's intent under the United States Treasury Regulations to reimburse such expenditures from the County's operating funds with the proceeds of the DASNY bonds.

Office of the County Executive

Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Telephone: (914) 995-2900 E-mail: ceo@westchestergov.com

The proposed Act and Resolution do not meet the definition of an action under the New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

Based on the importance of this project to the County, approval of the proposed Operating Budget Amendment and Resolution is respectfully requested.

Sincerely,

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

George Latimer
County Executive

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

Your Committee is in receipt of a transmission from the County Executive recommending approval of an Act authorizing an amendment of the 2022 County Operating Budget in the amount of \$5,000,000.00 and a Resolution declaring the County of Westchester's ("County") intent to make expenditures as set forth herein.

The attached Act contains an increase of \$5,000,000.00 in appropriations in the Probation Department's operating budget and the Miscellaneous Budget. Pursuant to Section 167.121 of the Laws of Westchester County, this Act requires authorization by the Board of Legislators.

The County desires to have the Dormitory of the State of New York ("DASNY") design and construct a new Specialized Secure Detention area (the "Project") at the site of the Woodfield Cottage Youth Facility located at 20 Hammond House Road, Valhalla, New York ("Woodfield Cottage"). DASNY is authorized by New York State law to manage and/or undertake the design, construction, reconstruction and/or rehabilitation of certain detention facilities certified by the New York State Office of Children and Family Services ("OCFS"). Woodfield Cottage is a facility certified by OCFS.

The County expects to finance the Project on a long-term basis with proceeds of tax-exempt bonds issued by DASNY to be addressed under separate agreements which are not the subject of this legislation. DASNY anticipates that it will issue these bonds sometime next year. In order to facilitate the commencement of the Project's design and construction, the proposed Act is necessary to enable the County to cover up to Five Million (\$5,000,000.00) Dollars of the initial costs of the Project which will be incurred prior to the receipt of the proceeds of the DASNY bonds. Upon issuance of the bonds, DASNY will reimburse the County for any operating funds advanced for the Project.

In order to enable DASNY to proceed with commencement of the Project, DASNY requires the proposed Resolution declaring the County's intent under the United States Treasury Regulations to reimburse such expenditures from the County's operating funds with the proceeds of the DASNY bonds.

The proposed Act and Resolution do not meet the definition of an action under the New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

Your Committee recommends approval of the attached Act and Resolution.

Dated: _____, 2022.
White Plains, New York

COMMITTEE ON

c:dlv

FISCAL IMPACT STATEMENT

SUBJECT: Woodfield Cottage 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 \$ 5,000,000

Total Current Year Revenue \$ 5,000,000

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

Additional Appropriations Other (explain)

Identify Accounts: 101-39-1000-4310 (Non-Recurring Repairs)

101-52-1000-9032 (Sales and Use Tax)

Potential Related Operating Budget Expenses: Annual Amount _____

Describe: _____

Potential Related Operating Budget Revenues: Annual Amount _____

Describe: _____

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

Current Year: _____

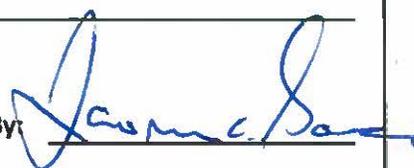
Next Four Years: _____

Prepared by: Mark Medwid

Title: Associate Budget Director

Department: Budget

Date: August 24, 2022

Reviewed By: 
Budget Director

Date: 8/24/22

ACT _____ 2022

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

SECTION 1. The 2022 County Operating Budget shall be amended as follows:

EXPENDITURES:

Probation (39)

Non-Recurring Repairs (101-39-1000-4310)	+	5,000,000
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REVENUES:

Miscellaneous Budgets (52)

Sales and Use Tax (101-52-1000-9032)	+	5,000,000
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SECTION 2. This ACT shall take effect immediately.

RESOLUTION ____-2022

**RESOLUTION DECLARING OFFICIAL INTENT
TO REIMBURSE EXPENDITURES
FROM PROCEEDS OF BORROWING**

WHEREAS the County of Westchester, New York (the “County”) plans to undertake the design and construction and equipping of a detention facility certified by the office of children and family services or by such office in conjunction with the state commission of correction or a residential facility licensed by the office of children and family services, all or in part pursuant to the New York State Raise the Age Legislation (the “Project”); and

WHEREAS, the County expects to finance the Project on a long-term basis with the proceeds of tax-exempt bonds (the “Bonds”) issued by the Dormitory Authority of the State of New York (“DASNY”); and

WHEREAS, the County must provide interim financing to cover a portion of the initial costs of the Project which will be incurred prior to receipt of the proceeds of the Bonds because the Bonds will not be issued by DASNY until mid to late Spring 2023; and

WHEREAS, it is necessary, desirable, and in the best interests of the County to advance moneys from its operating funds on an interim basis to pay a portion of the initial costs of the Project until the Bonds are issued, at which time Bond proceeds will be used to reimburse the County for operating funds advanced for the Project; and

WHEREAS, the United States Treasury Regulations Section 1.150-2 (the “Reimbursement Regulations”) prescribe conditions under which the proceeds of bonds, notes or other obligations may be used to reimburse advances made for capital expenditures paid before the issuance of such bonds, notes or other obligations to meet the requirements of Section 103 and 141-150 of the Internal Revenue Code of 1986, as amended.

NOW, THEREFORE, BE IT RESOLVED by the Board of Legislators of the County, that:

Section 1. Expenditure of Funds. The County intends to make expenditures as needed from its operating funds to pay a portion of the initial costs of the Project, not to exceed Five Million (\$5,000,000.00) Dollars, until Bond proceeds become available.

Section 2. Declaration of Official Intent. The County hereby officially declares its intent under the Reimbursement Regulations to reimburse such expenditures, originally paid from the County’s operating funds, with proceeds of the Bonds, the principal amount of which is estimated to be an amount not to exceed \$5,000,000.00.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside by the County pursuant to its budget or financial policies.

Section 4. Effective Date. This Resolution shall take effect immediately.