



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

Monday, September 18, 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.

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [2023-339](#) BOND ACT-SPK24-Peekskill WRRF Plant Wide Systems Upgrades

A BOND ACT authorizing the issuance of THREE HUNDRED THOUSAND (\$300,000) DOLLARS in bonds of Westchester County to finance Capital Project SPK24 - Peekskill Water Resource Recovery Facility (WRRF) Plant Wide Systems Upgrades.

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

Guests: Dept. of Environmental Facilities: Deputy Commissioner Louis Vetrone, Deputy Commissioner Nat Federici, and Program Coordinator (Capital Program) Joe Brown

2. [2023-340](#) BOND ACT-SPK25-Peekskill WRRF Electrical Upgrade

A BOND ACT authorizing the issuance of TWO HUNDRED THOUSAND (\$200,000) DOLLARS in bonds of Westchester County to finance Capital Project SPK25 - Peekskill Water Resource Recovery Facility (WRRF) Electrical Upgrade.

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

Guests: Dept. of Environmental Facilities: Deputy Commissioner Louis Vetrone, Deputy Commissioner Nat Federici, and Program Coordinator (Capital Program) Joe Brown

3. [2023-341](#) BOND ACT-New Rochelle WRRF Sludge Thickener Rehab.

A BOND ACT authorizing the issuance of ONE MILLION (\$1,000,000) DOLLARS in bonds of Westchester County to finance Capital Project SNR23 - New Rochelle Water Resource Recovery Facility (WRRF) Sludge Thickener Rehabilitation.

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

Guests: Dept. of Environmental Facilities: Deputy Commissioner Louis Vetrone, Deputy Commissioner Nat Federici, and Program Coordinator (Capital Program) Joe Brown

4. [2023-342](#) BOND ACT-SNR25-New Rochelle WRRF Ultraviolet Disinfection Optimization

A BOND ACT authorizing the issuance of THREE MILLION (\$3,000,000) DOLLARS in bonds of Westchester County to finance Capital Project SNR25 - New Rochelle Water Resource Recovery Facility (WRRF) Ultraviolet Disinfection Optimization.

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

Guests: Dept. of Environmental Facilities: Deputy Commissioner Louis Vetrone, Deputy Commissioner Nat Federici, and Program Coordinator (Capital Program) Joe Brown

5. [2023-358](#) CBA-BIT50-AMS-CGI & RAC Upgrade

AN ACT amending the 2023 County Capital Budget Appropriations for Capital Project BIT50 AMS/CGI APPLICATIONS AND LINUX RAC UPGRADE.

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

Guests: Budget Dept: Budget Director Larry Soule; Dept. of Finance: Commissioner Karin Hablow; DoIT: Marguerite Beirne, Chief Information Officer, and Koshy Prakash, Software Team Manager for Budget, HR and Finance Systems

6. [2023-359](#) BOND ACT-BIT50-AMS-CGI & RAC Upgrade

A BOND ACT authorizing the issuance of TWO MILLION FIVE HUNDRED THIRTY FIVE THOUSAND in bonds of the Westchester County to finance Capital Project BIT50 - American Management Systems, CGI Applications and LINUX Real Application Cluster Upgrade.

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

Guests: Budget Dept: Budget Director Larry Soule; Dept. of Finance: Commissioner Karin Hablow; DoIT: Marguerite Beirne, Chief Information Officer, and Koshy Prakash, Software Team Manager for Budget, HR and Finance Systems

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Westchester County

George Latimer
County Executive

July 28, 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 (the "Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue bonds in the amount of \$300,000 to finance the following capital project:

SPK24 – Peekskill WRRF Plant Wide Systems Upgrades ("SPK24").

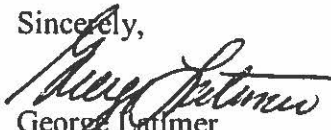
This project will provide for updating various areas of the Peekskill Water Resource Recovery Facility. The current bonding request, in the amount of \$300,000, would fund a study to evaluate new equipment and replacement options, methods to maintain the plant in operation during construction, and develop a preliminary budget.

Following bonding authorization, a study will be scheduled and is anticipated to take six (6) months to complete and will be performed by consultants. It is estimated that design, based on the results of the study, will take twelve (12) months to complete and will begin after award and execution of the design agreement, subject to your Honorable Board's further approval of design funding.

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/VK/JB/jpg

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 bond act (the “Bond Act”) in the amount of \$300,000, which, if adopted by your Honorable Board, would authorize the County of Westchester (“County”) to finance Capital Project SPK24 – Peekskill WRRF Plant Wide Systems Upgrades (“SPK24”).

Your Committee is advised that this project will provide for updating various areas of the Peekskill Water Resource Recovery Facility. The current bonding request, in the amount of \$300,000, would fund a study to evaluate new equipment and replacement options, methods to maintain the plant in operation during construction, and develop a preliminary budget.

Your Committee is advised that following bonding authorization, a study will be scheduled and is anticipated to take six (6) months to complete and will be performed by consultants. It is estimated that design, based on the results of the study, will take twelve (12) months to complete and will begin after award and execution of the design agreement, subject to your Honorable Board’s further approval of design funding.

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: _____, 2023
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SPK24

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 \$ 300,000 PPU 5 Anticipated Interest Rate 2.78%

Anticipated Annual Cost (Principal and Interest): \$ 65,805

Total Debt Service (Annual Cost x Term): \$ 329,025

Finance Department: Interest rates from July 18, 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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 3

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF


Date: 7/19/23

Reviewed By:


Budget Director

Date: 7/12/23

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: July 14, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SPK24 PEEKSKILL WRRF PLANT-WIDE SYSTEMS UPGRADES**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05/17/2023 (Unique ID: 2134)

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)(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 a study only.

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
C.J. Gelardo, Associate Engineer, Department of Environmental Facilities
Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities
Kelly Sheehan, Assistant Commissioner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. _____ - 2023

BOND ACT DATED _____, 2023.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO FINANCE A STUDY TO EVALUATE NEW AND REPLACEMENT EQUIPMENT OPTIONS FOR THE PEEKSKILL WATER RESOURCE RECOVERY FACILITY, IN AND FOR THE PEEKSKILL SANITARY SEWER DISTRICT IN SAID COUNTY.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York (the "County"), by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For paying the cost of a study to evaluate new and replacement equipment options for the Peekskill Water Resource Recovery Facility, for capital improvement planning and design purposes, including methods to maintain the operations of the facility during construction and to develop a preliminary budget, a specific object or purpose, there are hereby authorized to be issued \$300,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid specific object or purpose set forth in this Bond Act are

inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$300,000, and that the plan for the financing thereof is by the issuance of the \$300,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision sixty-two of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the County's Peekskill Sanitary Sewer District, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations, as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County by the manual or facsimile signature of the Commissioner of Finance and a facsimile of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to

the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the sole discretion of said Commissioner of Finance, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any

charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this Bond Act 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

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no moneys are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

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

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * *

APPROVED BY THE COUNTY EXECUTIVE

Date: _____, 2023

STATE OF NEW YORK)
) ss.:
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 _____, 2023, 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 said meeting was (i) open to the general public pursuant to Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the Public Officers Law.

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 given to the following newspapers and/or other news media as follows:

Newspaper and/or Other News Media

Date Given

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 Notices

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on _____, 2023.

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

(CORPORATE
SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2023 and approved by the County Executive on _____, 2023 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 and Administrative Officer 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. _____-2023

A BOND ACT AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK TO FINANCE A STUDY TO EVALUATE NEW AND REPLACEMENT EQUIPMENT OPTIONS FOR THE PEEKSKILL WATER RESOURCE RECOVERY FACILITY, IN AND FOR THE PEEKSKILL SANITARY SEWER DISTRICT IN SAID COUNTY.

object or purpose: financing a study to evaluate new and replacement equipment options for the Peekskill Water Resource Recovery Facility.

period of probable usefulness: five (5) years

amount of obligations to be issued: \$300,000

Dated: _____, 2023
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:* SPK24	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-19-2023
Fact Sheet Year:* 2023	Project Title:* PEEKSKILL WRRF PLANT WIDE SYSTEMS UPGRADES	Legislative District ID: 1, 9, 4,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 2134

Overall Project Description

This project will consolidate several existing projects and provide for updating various areas of the Peekskill Water Resource Recovery Facility.

- | | | |
|--|--|--|
| <input 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	2023	2024	2025	2026	2027	Under Review
Gross	31,300	0	300	0	0	3,000	0	28,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	31,300	0	300	0	0	3,000	0	28,000

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

Current Bond Description: Study funding to evaluate new equipment and replacement options, methods to maintain the plant in operation during construction, and develop a preliminary budget.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	300,000
Cash:	0
Total:	\$ 300,000

SEQR Classification:
TYPE II

Amount Requested:
300,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2023	300,000	STUDY

Total Appropriation History:
300,000

Total Financing History:
0

Recommended By:

Department of Planning
MLLL

Date
05-17-2023

Department of Public Works
RJB4

Date
05-31-2023

Budget Department
DEV9

Date
06-07-2023

Requesting Department
JWBA

Date
06-07-2023

PEEKSKILL WRRF PLANT WIDE SYSTEMS UPGRADES (SPK24)

User Department : Environmental Facilities
Managing Department(s) : Environmental Facilities ;
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	2023	2024	2025	2026	2027	Under Review
Gross	31,300			300			3,000		28,000
Non County Share									
Total	31,300			300			3,000		28,000

Project Description

This project will consolidate several existing projects and provide for updating various areas of the Peekskill Water Resource Recovery Facility.

Current Year Description

The current year request funds a study.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	300,000			300,000

Impact on Operating Budget

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

Westchester County

George Latimer
County Executive

July 28, 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 (the "Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue bonds in the amount of \$200,000 to finance the following capital project:

SPK25 – Peekskill WRRF Electrical Upgrade ("SPK25").

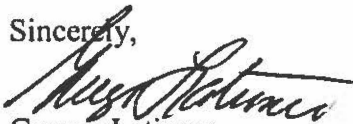
This project will fund the replacement of major electrical distribution equipment at the Peekskill Water Resource Recovery Facility. The current bonding request, in the amount of \$200,000, would fund a study to evaluate and document deficiencies for all equipment and replacement options. The report will focus on, but not be limited to, switchgears, motor control centers, power panels, and main feed distribution systems plant wide.

Following bonding authorization, a study will be scheduled and is anticipated to take six (6) months to complete and will be performed by consultants. It is estimated that design, based on the results of the study, will take twelve (12) months to complete and will begin after award and execution of the design agreement, subject to your Honorable Board's further approval of design funding.

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/VK/JB/jpg

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

Your Committee is in receipt of a bond act (the “Bond Act”) in the amount of \$300,000, which, if adopted by your Honorable Board, would authorize the County of Westchester (“County”) to finance Capital Project SPK25 – Peekskill WRRF Electrical Upgrade (“SPK25”).

Your Committee is advised that this project will fund the replacement of major electrical distribution equipment at the Peekskill Water Resource Recovery Facility. The current bonding request, in the amount of \$200,000, would fund a study to evaluate and document deficiencies for all equipment and replacement options. The report will focus on, but not be limited to, switchgears, motor control centers, power panels, and main feed distribution systems plant wide.

Your Committee is advised that following bonding authorization, a study will be scheduled and is anticipated to take six (6) months to complete and will be performed by consultants. It is estimated that design, based on the results of the study, will take twelve (12) months to complete and will begin after award and execution of the design agreement, subject to your Honorable Board’s further approval of design funding.

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: _____, 2023
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SPK25 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	\$	200,000	PPU	5	Anticipated Interest Rate	2.78%
Anticipated Annual Cost (Principal and Interest):	\$	43,870				
Total Debt Service (Annual Cost x Term):	\$	219,350				

Finance Department: Interest rates from July 18, 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): \$ -

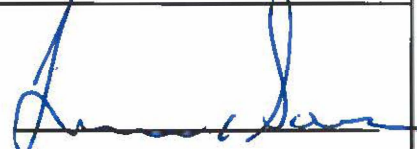
Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

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


Number of Full Time Equivalent (FTE) Jobs Funded: 2

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff Consultant Not Applicable

Prepared by:	<u>Joe Brown</u>	Reviewed By:	
Title:	<u>Capital Program Coordinator</u>		Budget Director
Department:	<u>DEF</u>	Date:	<u>7/20/23</u>
Date:	<u>7/19/23</u>		

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: July 14, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SPK25 PEEKSKILL WRRF ELECTRICAL UPGRADE**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05/17/2023 (Unique ID: 2209)

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)(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 a study only.

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
C.J. Gelardo, Associate Engineer, Department of Environmental Facilities
Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities
Kelly Sheehan, Assistant Commissioner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. _____ - 2023

BOND ACT DATED _____, 2023.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO FINANCE A STUDY TO EVALUATE AND DOCUMENT ELECTRICAL EQUIPMENT DEFICIENCIES AND REPLACEMENT OPTIONS FOR THE PEEKSKILL WATER RESOURCE RECOVERY FACILITY, IN AND FOR THE PEEKSKILL SANITARY SEWER DISTRICT IN SAID COUNTY.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York (the "County"), by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For paying the cost of a study to evaluate and document electrical equipment deficiencies and replacement options for the Peekskill Water Resource Recovery Facility, for capital improvement planning and design purposes, a specific object or purpose, there are hereby authorized to be issued \$200,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid specific object or purpose set

forth in this Bond Act are inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$200,000, and that the plan for the financing thereof is by the issuance of the \$200,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision sixty-two of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the County's Peekskill Sanitary Sewer District, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations, as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County by the manual or facsimile signature of the Commissioner of Finance and a facsimile of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to

the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the sole discretion of said Commissioner of Finance, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any

charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this Bond Act 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

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no moneys are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

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

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * *

APPROVED BY THE COUNTY EXECUTIVE

Date: _____, 2023

STATE OF NEW YORK)
) ss.:
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 _____, 2023, 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 said meeting was (i) open to the general public pursuant to Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the Public Officers Law.

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 given to the following newspapers and/or other news media as follows:

Newspaper and/or Other News Media

Date Given

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:

<u>Designated Location(s) of Posted Notices</u>	<u>Date of Posting</u>
---	------------------------

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on _____, 2023.

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

(CORPORATE
SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2023 and approved by the County Executive on _____, 2023 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 and Administrative Officer 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. _____-2023

A BOND ACT AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO FINANCE A STUDY TO EVALUATE AND DOCUMENT ELECTRICAL EQUIPMENT DEFICIENCIES AND REPLACEMENT OPTIONS FOR THE PEEKSKILL WATER RESOURCE RECOVERY FACILITY, IN AND FOR THE PEEKSKILL SANITARY SEWER DISTRICT IN SAID COUNTY.

object or purpose: financing a study to evaluate and document electrical equipment deficiencies and replacement options for the Peekskill Water Resource Recovery Facility.

period of probable usefulness: five (5) years

amount of obligations to be issued: \$200,000

Dated: _____, 2023
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:* SPK25	<input type="checkbox"/> CBA	Fact Sheet Date:* 04-21-2023
Fact Sheet Year:* 2023	Project Title:* PEEKSKILL WRRF ELECTRICAL UPGRADE	Legislative District ID: 1, 9, 4,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 2209

Overall Project Description

This project will fund the replacement of major electrical distribution equipment in the plant.

- | | | |
|--|--|--|
| <input 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	2023	2024	2025	2026	2027	Under Review
Gross	10,200	0	200	0	0	2,500	0	7,500
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	10,200	0	200	0	0	2,500	0	7,500

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

Current Bond Description: Study funding to evaluate and document deficiencies for all equipment and replacement options. The report will focus on, but not be limited to, switchgears, motor control centers, power panels, and main feed distribution systems plant wide.

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

200,000

Comments:

Energy Efficiencies:

NONE

Appropriation History:

Year	Amount	Description
2023	200,000	STUDY

Total Appropriation History:

200,000

Total Financing History:

0

Recommended By:

Department of Planning

MLLL

Date

05-17-2023

Department of Public Works

RJB4

Date

05-31-2023

Budget Department

DEV9

Date

06-07-2023

Requesting Department

JWBA

Date

06-07-2023

PEEKSKILL WRRF ELECTRICAL UPGRADE (SPK25)

User Department : Environmental Facilities
Managing Department(s) : Environmental Facilities ;

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	2023	2024	2025	2026	2027	Under Review
Gross	10,200			200			2,500		7,500
Non County Share									
Total	10,200			200			2,500		7,500

Project Description

This project will fund the replacement of major electrical distribution equipment in the plant.

Current Year Description

The current year request funds a study.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	200,000			200,000

Impact on Operating Budget

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

Westchester County

George Latimer
County Executive

July 7, 2023

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

SNR23 – New Rochelle WRRF Sludge Thickener Rehabilitation ("SNR23").

The Bond Act, in the amount of \$1,000,000.00 would finance the design for the rehabilitation of the sludge thickening tank at the New Rochelle Water Resource Recovery Facility, including the replacement of mechanical collection equipment, sludge handling, dewatering and processing systems, and roof repair. This work will include repair or replacement of all mechanical, plumbing, HVAC, odor control, instrumentation, electrical, structural and architectural systems, including all necessary appurtenances.

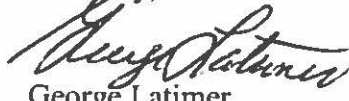
The Department of Environmental Facilities ("Department") has advised that the sludge thickener tank equipment and roofing are reaching the end of their useful life and need to be replaced. The new equipment will improve the operational performance, reliability, and efficiency of the facility. The Department is required to keep its water and wastewater treatment facilities in a state of good repair, in accordance with State and Federal regulations.

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

The Department of Planning has advised that based on its review, the proposed 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,

A handwritten signature in cursive script, appearing to read "George Latimer".

George Latimer
County Executive

**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 \$1,000,000.00 to finance capital project SNR23 – New Rochelle WRRF Sludge Thickener Rehabilitation (“SNR23”). The Bond Act, which was prepared by the law firm Norton Rose Fulbright LLP, will finance the design for the rehabilitation of the sludge thickening tank, including the replacement of mechanical collection equipment, sludge, handling, dewatering, and processing systems, and roof repair. This work will include repair or replacement of all mechanical, plumbing, HVAC, odor control, instrumentation, electrical, structural and architectural systems, including all necessary appurtenances.

The Department of Environmental Facilities (“Department”) has advised that the sludge thickener tank equipment and roofing are reaching the end of their useful life and need to be replaced. The new equipment will improve the operational performance, reliability, and efficiency of the facility. The Department is required to keep its water and wastewater treatment facilities in a state of good repair, in accordance with State and Federal regulations.

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

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”). 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/cmc.07.07.2023

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SNR23 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 \$ 1,000,000 PPU 5 Anticipated Interest Rate 2.81%

Anticipated Annual Cost (Principal and Interest): \$ 219,567

Total Debt Service (Annual Cost x Term): \$ 1,097,835

Finance Department: Interest rates from July 14, 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):

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: Joe Brown

Title: Capital Program Coordinator

Department: DEF

Date: 7/19/23


Reviewed By: 

Budget Director

Date: 7/20/23

11/7/20/23

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: July 14, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SNR23 New Rochelle WRRF Sludge Thickener Rehabilitation**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05/17/2023 (Unique ID: 2207)

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)(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 design only.

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
C.J. Gelardo, Associate Engineer, Department of Environmental Facilities
Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities
Kelly Sheehan, Assistant Commissioner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. _____ - 2023

BOND ACT DATED _____, 2023.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY DESIGN COSTS FOR THE REHABILITATION OF THE SLUDGE THICKENING TANK AT THE NEW ROCHELLE WATER RESOURCE RECOVERY FACILITY, IN AND FOR THE COUNTY'S NEW ROCHELLE SANITARY SEWER DISTRICT.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all other conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of the cost of such capital project;
NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York (the "County"), by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For paying the cost of design for the rehabilitation of the sludge thickening tank at the New Rochelle Water Resource Recovery Facility, including incidental expenses in connection therewith, replacement of mechanical collection equipment, sludge handling, dewatering and processing systems, and roof repair, there are hereby authorized to be issued \$1,000,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid specific object or purpose set forth in this Bond Act are

inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$1,000,000, and that the plan for the financing thereof is by the issuance of the \$1,000,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision sixty-two of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the County's New Rochelle Sanitary Sewer District, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County by the manual or facsimile signature of the Commissioner of Finance and a facsimile

of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the sole discretion of the Commissioner of Finance, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be

determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this Bond Act 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

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said

County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

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

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * *

APPROVED BY THE COUNTY EXECUTIVE

Date: _____, 2023

STATE OF NEW YORK)
) ss.:
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 _____, 2023, 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 said meeting was (i) open to the general public pursuant to Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the Public Officers Law.

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 given to the following newspapers and/or other news media as follows:

Newspaper and/or Other News Media

Date Given

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on _____, 2023.

Clerk of the County Board of Legislators
of the County of Westchester, New York

(CORPORATE
SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2023 and approved by the County Executive on _____, 2023 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 for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-2023

A BOND ACT AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY DESIGN COSTS FOR THE REHABILITATION OF THE SLUDGE THICKENING TANK AT THE NEW ROCHELLE WATER RESOURCE RECOVERY FACILITY, IN AND FOR THE COUNTY'S NEW ROCHELLE SANITARY SEWER DISTRICT.

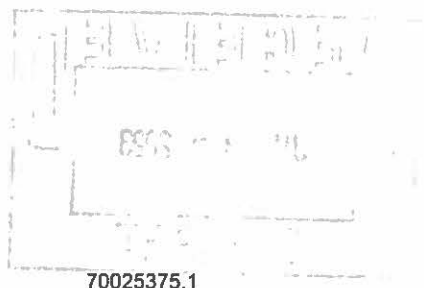
specific object or purpose design costs for the rehabilitation of the sludge thickening tank at the New Rochelle Water Resource Recovery Facility, including incidental expenses in connection therewith, replacement of mechanical collection equipment, sludge handling, dewatering and processing systems, and roof repair, in and for the County's New Rochelle Sanitary Sewer District

period of probable usefulness: five years

amount of obligations to be issued: \$1,000,000

Dated: _____, 2023
White Plains, New York

Clerk of the County Board of Legislators of the County of Westchester, New York



70025375.1

CAPITAL PROJECT FACT SHEET

Project ID:* SNR23	<input type="checkbox"/> CBA	Fact Sheet Date:* 04-21-2023
Fact Sheet Year:* 2023	Project Title:* NEW ROCHELLE WRRF SLUDGE THICKENER REHABILITATION	Legislative District ID: 7, 11, 10,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 2207

Overall Project Description

This project funds the rehabilitation of the sludge thickening tank.

- | | | |
|--|--|--|
| <input 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	2023	2024	2025	2026	2027	Under Review
Gross	6,000	0	1,000	0	5,000	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	6,000	0	1,000	0	5,000	0	0	0

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

Current Bond Description: Design funding for the rehabilitation of the sludge thickening tank, including replacement of mechanical collection equipment, sludge handling, dewatering, and processing systems; and roof repair. The work will include repair or replacement of all mechanical, plumbing, HVAC, odor control, instrumentation, electrical, structural, and architectural systems, including all necessary appurtenances.

Financing Plan for Current Request:

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

SEQR Classification:
TYPE II

Amount Requested:
1,000,000

Comments:

Energy Efficiencies:
NONE

Appropriation History:

Year	Amount	Description
2023	1,000,000	DESIGN

Total Appropriation History:
1,000,000

Total Financing History:
0

Recommended By:

Department of Planning

MLLL

Date

05-17-2023

Department of Public Works

RJB4

Date

06-09-2023

Budget Department

DEV9

Date

06-20-2023

Requesting Department

JWBA

Date

06-20-2023

NEW ROCHELLE WRRF SLUDGE THICKENER REHABILITATION (SNR23)

User Department : Environmental Facilities

Managing Department(s) : Environmental Facilities ;

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	2023	2024	2025	2026	2027	Under Review
Gross	6,000			1,000		5,000			
Non County Share									
Total	6,000			1,000		5,000			

Project Description

This project funds the rehabilitation of the sludge thickening tank.

Current Year Description

The current year request funds design.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	1,000,000			1,000,000

Impact on Operating Budget

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

Westchester County

George Latimer
County Executive

July 24, 2023

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 is a bond act (“Bond Act”) which, if adopted, would authorize the County of Westchester (“County”) to issue bonds in the amount of \$3,000,000 to finance the following capital project:

SNR25 – New Rochelle WRRF Ultraviolet Disinfection Optimization (“SNR25”).

The Bond Act, in the amount of \$3,000,000.00 would finance the design, construction management and construction costs for the rehabilitation of the ultraviolet light disinfection system at the New Rochelle Water Resource Recovery Facility, which includes the replacement of or improvements to all mechanical, plumbing, HVAC, odor control, instrumentation, electrical, structural, and architectural systems, including all necessary appurtenances.

The Department of Environmental Facilities (“Department”) has advised that the existing equipment has a high operation and maintenance cost that could potentially be lowered by making improvements to the equipment.

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

The Department of Planning has advised that based on its review, the proposed 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



**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 \$3,000,000.00 to finance capital project SNR25 – New Rochelle WRRF Ultraviolet Disinfection Optimization (“SNR25”). The Bond Act, which was prepared by the law firm Norton Rose Fulbright LLP, will finance the in the amount of \$3,000,000.00 would finance the design, construction management and construction costs for the rehabilitation of the ultraviolet light disinfection system at the New Rochelle Water Resource Recovery Facility, which includes the replacement of or improvements to all mechanical, plumbing, HVAC, odor control, instrumentation, electrical, structural, and architectural systems, including all necessary appurtenances.

The Department of Environmental Facilities (“Department”) has advised that the existing equipment has a high operation and maintenance cost that could potentially be lowered by making improvements to the equipment.

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

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”). 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

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SNR25

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 \$ 3,000,000 PPU 30 Anticipated Interest Rate 3.47%

Anticipated Annual Cost (Principal and Interest): \$ 156,162

Total Debt Service (Annual Cost x Term): \$ 4,684,860

Finance Department: Interest rates from July 18, 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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 32

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF

Date: 7/19/23


Reviewed By:


Budget Director

Date:

7/20/23

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: July 17, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SNR25 New Rochelle WRRF Ultraviolet Disinfection Optimization**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-17-2023 (Unique ID: 2125)

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
C.J. Gelardo, Associate Engineer, Department of Environmental Facilities
Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities
Kelly Sheehan, Assistant Commissioner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. _____ - 2023

BOND ACT DATED _____, 2023.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$3,000,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR THE REHABILITATION OF THE ULTRAVIOLET LIGHT DISINFECTION SYSTEM OF THE NEW ROCHELLE WATER RESOURCE RECOVERY FACILITY, IN AND FOR THE COUNTY'S NEW ROCHELLE SANITARY SEWER DISTRICT.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all other conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of the cost of such capital project;
NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York (the "County"), by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For paying the cost of design, construction management and construction costs for the rehabilitation of the ultraviolet light disinfection system of the New Rochelle Water Resource Recovery Facility, incidental expenses in connection therewith, replacement of or improvements to mechanical, plumbing, HVAC, odor control, instrumentation, electrical, structural, and architectural systems, there are hereby authorized to be issued \$3,000,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid specific object or purpose set forth in this Bond Act are inconsistent with any

details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$3,000,000, and that the plan for the financing thereof is by the issuance of the \$3,000,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the County's New Rochelle Sanitary Sewer District, as allocated by the County, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County by the manual or facsimile signature of the Commissioner of Finance and a facsimile

of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the sole discretion of the Commissioner of Finance, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be

determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this Bond Act 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

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said

County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

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

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * *

APPROVED BY THE COUNTY EXECUTIVE

Date: _____, 2023

STATE OF NEW YORK)
) ss.:
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 _____, 2023, 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 said meeting was (i) open to the general public pursuant to Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the Public Officers Law.

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 given to the following newspapers and/or other news media as follows:

Newspaper and/or Other News Media

Date Given

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on _____, 2023.

Clerk of the County Board of Legislators
of the County of Westchester, New York

(CORPORATE
SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2023 and approved by the County Executive on _____, 2023 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 for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-2023

A BOND ACT AUTHORIZING THE ISSUANCE OF \$3,000,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR THE REHABILITATION OF THE ULTRAVIOLET LIGHT DISINFECTION SYSTEM OF THE NEW ROCHELLE WATER RESOURCE RECOVERY FACILITY, IN AND FOR THE COUNTY'S NEW ROCHELLE SANITARY SEWER DISTRICT.

specific object or purpose: design, construction management and construction costs for the rehabilitation of the ultraviolet light disinfection system of the New Rochelle Water Resource Recovery Facility, including incidental expenses in connection therewith, replacement of or improvements to mechanical, plumbing, HVAC, odor control, instrumentation, electrical, structural, and architectural systems, in and for the County's New Rochelle Sanitary Sewer District

period of probable usefulness: thirty years

amount of obligations to be issued: \$3,000,000

Dated: _____, 2023
White Plains, New York

Clerk of the County Board of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:* SNR25	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-17-2023
Fact Sheet Year:* 2023	Project Title:* NEW ROCHELLE WRRF ULTRAVIOLET DISINFECTION OPTIMIZATION	Legislative District ID: 7, 11, 10,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 2125

Overall Project Description

This project will incorporate changes to the ultraviolet light disinfection system that are currently being designed under a separate project. The work will include repair or replacement of all mechanical, plumbing, HVAC, odor control, instrumentation, electrical, structural, and architectural systems, including all necessary appurtenances.

- | | | |
|--|--|--|
| <input 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	2023	2024	2025	2026	2027	Under Review
Gross	3,000	0	3,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,000	0	3,000	0	0	0	0	0

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

Current Bond Description: Funding for design, construction management, and construction to repair or replacement of all mechanical, plumbing, HVAC, odor control, instrumentation, electrical, structural, and architectural systems, including all necessary appurtenances.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	3,000,000
Cash:	0
Total:	\$ 3,000,000

SEQR Classification:
TYPE II

Amount Requested:
3,000,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2023	3,000,000	DESIGN, CONSTRUCTION MANAGEMENT, & CONSTRUCTION

Total Appropriation History:
3,000,000

Total Financing History:
0

Recommended By:

Department of Planning
MLLL

Date
05-17-2023

Department of Public Works
RJB4

Date
06-16-2023

Budget Department
DEV9

Date
06-20-2023

Requesting Department
JWBA

Date
06-20-2023

NEW ROCHELLE WRRF ULTRAVIOLET DISINFECTION OPTIMIZATION (SNR25)

User Department : Environmental Facilities

Managing Department(s) : Environmental Facilities ;

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	2023	2024	2025	2026	2027	Under Review
Gross	3,000			3,000					
Non County Share									
Total	3,000			3,000					

Project Description

This project will incorporate changes to the ultraviolet light disinfection system that are currently being designed under a separate project. The work will include repair or replacement of all mechanical, plumbing, HVAC, odor control, instrumentation, electrical, structural, and architectural systems, including all necessary appurtenances.

Current Year Description

The current year request funds an increase in design and construction.

Current Year Financing Plan

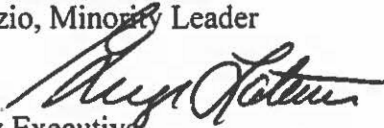
Year	Bonds	Cash	Non County Shares	Total
2023	3,000,000			3,000,000

Impact on Operating Budget

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

August 4, 2023

TO: Hon. Vedat Gashi, Chair
Hon. Nancy Barr, Vice Chair
Hon. Jose Alvarado, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act & CBA – BIT50 – AMS/CGI and RAC Upgrade.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators August 7, 2023 Agenda.

Transmitted herewith for your review and approval is a CBA & Bond Act regarding the above referenced submission.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for August 4, 2023 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

July 28, 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 an Act to amend the current-year capital budget ("Capital Budget Amendment") as well as a related bond act ("Bond Act,") which, if adopted, would authorize the County of Westchester ("County") to issue up to \$2,535,000 in bonds of the County to finance the following capital project:

BIT50 - American Management Systems ("AMS")/Conseillers en Gestion et Informatique ("CGI") Applications and Linux Real Application Cluster ("RAC") Upgrade ("BIT50").

The proposed Capital Budget Amendment will amend the County's current-year capital budget to increase the County share for BIT50 by \$2,535,000. The current request will fund the additional functions to be added to this system, including, but not limited to time and leave management, overtime, personnel transactions forms, and automated W2 and 1099 processing in addition to a Help Desk supported by CGI personnel for Department users, for a period of three months, and additional training for end users.

The Bond Act, in the amount of \$2,535,000, would finance the additional cost of software and implementation services for the County Department of Information Technology ("Department").

The Department has advised that AMS/ CGI, which is the vendor for the County's Financial, Human Resource and Budget systems, informed the County that it is instituting a major systems renovation and will no longer support existing systems. BIT50 will fund the cost of the implementation services and related expenses for CGI/AMS to upgrade the County's systems to the new version and the purchase of data processing equipment and database software.

It should be noted that your Honorable Board has authorized the County to issue bonds in connection with prior components of BIT50 as indicated in the annexed fact sheet.

Office of the County Executive

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

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

westchestergov.com

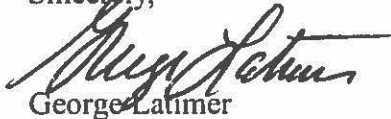
Design is currently being undertaken by in-house staff and consultants and is expected to be completed by the first quarter of 2024. It is estimated that implementation will take eight months to complete.

The Planning Department has advised that based on its review, BIT50 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.

The Planning Department has advised that the Planning Board has previously reviewed BIT50 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.

Based on the importance of this capital project to the County, favorable action on the annexed proposed Acts is respectfully requested.

Sincerely,

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

George Latimer
County Executive

Attachments

**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 \$2,535,000 prepared by the law firm Harris Beach PLLC to finance capital project BIT50 - American Management Systems (“AMS”)/Conseillers en Gestion et Informatique (“CGI”) Applications and Linux Real Application Cluster (“RAC”) Upgrade (“BIT50”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s current-year capital budget to increase the County share for BIT50 by \$2,535,000. The Department of Information Technology (“Department”) has advised your Committee that the current request will fund the additional functions to be added to this system, including, but not limited to time and leave management, overtime, personnel transactions forms, and automated W2 and 1099 processing in addition to a Help Desk supported by CGI personnel for Department users, for a period of three months, and additional training for end users.

The Bond Act, in the amount of \$2,535,000, would finance the additional cost of software and implementation services for the Department.

The Department has advised that AMS/ CGI, which is the vendor for the County’s Financial, Human Resource and Budget systems, informed the County that it is instituting a major systems renovation and will no longer support existing systems. BIT50 will fund the cost of the implementation services and related expenses for CGI/AMS to upgrade the County’s systems to the new version and the purchase of data processing equipment and database software.

Design is currently being undertaken by in-house staff and consultants and is expected to be completed by the first quarter of 2024. It is estimated that implementation will take eight months to complete.

It should be noted that your Honorable Board has authorized the County to issue bonds in connection with previous components of BIT50 as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, BIT50 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.

The Planning Department has advised your Committee that the Planning Board has previously reviewed BIT50 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: _____, 20
White Plains, New York

COMMITTEE ON

s. MG/7-3-23

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BIT50 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	\$	2,535,000	PPU	10	Anticipated Interest Rate	2.75%
Anticipated Annual Cost (Principal and Interest):	\$	295,243				
Total Debt Service (Annual Cost x Term):	\$	2,952,430				

Finance Department: Interest rates from August 1, 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): \$ -

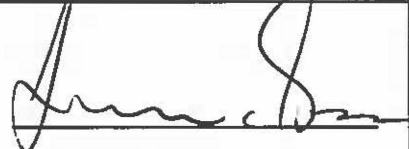
Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

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:	<u>Donna Montera</u>	Reviewed By:	
Title:	<u>Dir of Admin Services</u>	<i>07/27/23</i>	Budget Director
Department:	<u>Information Technology</u>	Date:	<u>8/3/23</u>
Date:	<u>8/1/23</u>		

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: July 26, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BIT50 AMS/CGI APPLICATIONS AND LINUX RAC UPGRADE**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 06-22-2023 (Unique ID: 2232)

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)(26):** routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
 - **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/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
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

To: The Westchester County Planning Board

From: Kelly Sheehan, Assistant Commissioner *KS*

Date: July 17, 2023

RE: **Capital Budget Amendment –
BIT50 AMS/CGI APPLICATIONS AND LINUX RAC UPGRADE**

The County Executive is requesting an amendment to the 2023 Capital Budget to modify the funding of the above project. Capital project **BIT50 AMS/CGI Applications and Linux RAC Upgrade** will fund the purchase of servers, software, associated equipment and services needed to upgrade Finance, HR and Budget systems.

A Capital Budget Amendment in the amount of \$2,535,000 is being requested to fund additional components being added to the system, including T&L management, overtime, personnel transaction forms, W2 and 1099 processing, and training and help desk services for users. This project was classified as a PL1 project without physical planning aspects of concern to the Planning Board in the 2020 Report on the Capital Project Requests adopted July 2, 2019.

There are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, no further action by your Board is necessary.

cc: Blanca P. López, Acting Commissioner
David S. Kvinge, Assistant Commissioner
Michael Lipkin, Associate Planner

An Act amending the 2023 County
 Capital Budget Appropriations for
 Capital Project BIT50 AMS/CGI
 APPLICATIONS AND LINUX RAC
 UPGRADE

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

Section 1. The Capital section of the 2023 County Budget is hereby amended as follows:

	Previous 2023 Appropriation	Change	Revised 2023 Appropriation
I. Appropriation	\$5,500,000	\$2,535,000	\$8,035,000

Section 2. The estimated method of financing in the Capital Section of the 2023 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$5,500,000	\$2,535,000	\$8,035,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$5,500,000	\$2,535,000	\$8,035,000

Section 3. The ACT shall take effect immediately.

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,535,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE ADDITIONAL COST OF SOFTWARE FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,535,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,535,000 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, \$2,535,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the additional cost of software and implementation services for the Department of Information Technology; 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 \$2,535,000. The plan of financing includes the issuance of \$2,535,000 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 objects or purposes for which the bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 81(a) of the Law, is ten (10) 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 \$2,535,000. 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 \$2,535,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE ADDITIONAL COST OF SOFTWARE FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,535,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,535,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__)

object or purpose: to finance the additional cost of software and implementation services for the Department of Information Technology; 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: \$2,535,000; ten (10) 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:*
BIT50

CBA

Fact Sheet Date:*
05-22-2023

Fact Sheet Year:*
2023

Project Title:*
AMS/CGI APPLICATIONS AND
LINUX RAC UPGRADE

Legislative District ID:

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
INFORMATION TECHNOLOGY

CP Unique ID:
2232

Overall Project Description

This project will fund the cost of the implementation services and related expenses to upgrade the County's Financial, HR and Budget systems to the new version. Also included is the purchase of data processing equipment and database software.

- | | | |
|--|--|---|
| <input 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	2024	2025	2026	2027	Under Review
Gross	8,035	5,000	500	0	0	0	0	2,535
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	8,035	5,000	500	0	0	0	0	2,535

Expended/Obligated Amount (in thousands) as of : 4,162

Current Bond Description: The bonding is being requested to fund the purchase of servers and related equipment, software and implementation services needed to upgrade the Finance, HR and Budget Systems. The funds currently being requested are for additional functions we will be adding to this system, including but not limited to the following : Time & Leave Management, Overtime, Personnel transactions forms, automated W2 and 1099 processing. Also included is a Help Desk supported by CGI personnel for Dept users, additional training for end users, etc.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	2,535,000
Cash:	0
Total:	\$ 2,535,000

SEQR Classification:
TYPE II

Amount Requested:
2,535,000

Comments:
This bonding legislation requires a Capital budget amendment. Capital budget amendment funds are shown in "Under Review".

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2020	4,750,000	FUNDS THIS PROJECT
2022	250,000	ADDITIONAL FUNDING
2023	500,000	ESCALATION

Total Appropriation History:
5,500,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
20	40	4,750,000	829,110	COST OF ACQUISITION & INSTALLATION OF SERVERS, EQUIPMENT, SOFTWARE & IMPLEMENTATION FOR DOIT
23	13	750,000	0	AMS/CGI APPLICATIONS AND LINUX RAC UPGRADE

Total Financing History:

5,500,000

Recommended By:

Department of Planning
MLLL

Date
06-22-2023

Department of Public Works
JZR7

Date
06-29-2023

Budget Department
DEV9

Date
06-30-2023

Requesting Department
DDMK

Date
07-03-2023

AMS/CGI APPLICATIONS AND LINUX RAC UPGRADE (BIT50)

User Department : Information Technology

Managing Department(s) : Information Technology ;

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	2023	2024	2025	2026	2027	Under Review
Gross	5,500	5,000	4,162	500					
Non County Share									
Total	5,500	5,000	4,162	500					

Project Description

This project will fund the cost of the implementation services and related expenses to upgrade the County's Financial, HR and Budget systems to the new version. Also included is the purchase of data processing equipment and database software.

Current Year Description

The current year request funds an escalation.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	500,000			500,000

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
2020	4,750,000	Funds this project	IN PROGRESS
2022	250,000	Additional funding	AWAITING BOND AUTHORIZATION
Total	5,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	5,000,000	829,110	4,170,890
Total	5,000,000	829,110	4,170,890

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
40 20	4,750,000	12/01/21	254,000	3,920,890
		12/01/22	523,122	
		12/01/22	51,988	
Total	4,750,000		829,110	3,920,890