

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval of bonding legislation (the “Bond Act”) in the amount of \$900,000 to authorize the County of Westchester (the “County”) to finance a component of capital project B014D – B014D – Exterior Infrastructure Repairs, White Plains Complex (2016 – 2020) (“B014D”). The Bond Act, which was prepared by the law firm of Hawkins Delafield & Wood, LLP, will fund design associated with the rehabilitation of 112 East Post Road and 143 Grand Street.

The Department of Public Works & Transportation has advised that the work to be performed at 112 East Post Road will include rehabilitation of the parapet, facade, exterior metals and penthouse structures; installation of rooftop access stairs; and all associated work. The work to be performed at 143 Grand Street will include window replacement; facade rehabilitation; reconstruction of the Quarropas Street building entrance and handicapped ramp; and all associated work.

Upon bonding authorization, design shall be scheduled and is anticipated to take nine (9) months to complete. Construction is estimated to take twelve (12) months and shall begin after award and execution of the construction contracts. It is anticipated that the design work will be completed by in-house staff.

Your Committee notes that this Honorable Board has previously authorized the County to issue bonds for a prior separate component of this capital project as set forth on the attached fact sheet.

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

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

Dated: July 19, 2021
White Plains, New York

David L. Tubish

Vedat Ferli

Call Park

Ruth Weber

To Whom

Benjamin Boykin

COMMITTEE ON

k/jpg/05.19.2021

K. S. Swill

Cliff

Mary Jane Shumway

Public Works &
Transportation

Catherine Borgra @

Vedat Ferli

Call Park

W. M. M.

Ruth Weber

To Whom

Benjamin Boykin

David L. Tubish

Cliff

Nancy Bar

Budget &
Appropriations

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B014D

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 \$ 900,000 PPU 5 Anticipated Interest Rate 0.27%

Anticipated Annual Cost (Principal and Interest): \$ 181,477

Total Debt Service (Annual Cost x Term): \$ 907,385

Finance Department: maab 6-4-21

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: Robert Abbamont

Title: Director of Operations (Capital Planning)

Department: Public Works/Transportation


Date: 6/7/21

Reviewed By: 

Budget Director

Date: 6/7/21

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

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

DATE: May 27, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
B014D Exterior Infrastructure Repairs, White Plains Complex (2016-2020)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05/14/2021 (Unique ID: 1682)

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

- **617.5(c)(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
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Yazzetta, Associate Budget Director
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$900,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE REHABILITATION OF VARIOUS COUNTY-OWNED FACILITIES; STATING THE ESTIMATED TOTAL COST THEREOF IS \$900,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$900,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20__)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$900,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the rehabilitation of various County-owned facilities, to wit: the rehabilitation of 112 East Post Road and 143 Grand Street; work at 112 East Post Road includes rehabilitation of the parapet, facade,

exterior metals, penthouse structures; installation of rooftop access stairs; and all associated work; while the work at 143 Grand Street includes window replacement; facade rehabilitation; reconstruction of the Quarropas Street building entrance and handicapped ramp; and all associated work; 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 total cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$900,000. The plan of financing includes the issuance of \$900,000 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 of the object or purpose for which said \$900,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 62 (2nd) of the Law, is five (5) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the total amount of \$900,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$900,000 as the estimated total cost of the aforesaid object or purpose is hereby approved.

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

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

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

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

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

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

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

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

* * *

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

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

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

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 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 amended Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$900,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE REHABILITATION OF VARIOUS COUNTY-OWNED FACILITIES; STATING THE ESTIMATED TOTAL COST THEREOF IS \$900,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$900,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (adopted on _____, 20__)

object or purpose: to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the rehabilitation of 112 East Post Road and 143 Grand Street; work at 112 East Post Road includes rehabilitation of the parapet, facade, exterior metals, penthouse structures; installation of rooftop access stairs; and all associated work; while the work at 143 Grand Street includes window replacement; facade rehabilitation; reconstruction of the Quarropas Street building entrance and handicapped ramp; and all associated work; 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: \$900,000; five (5) years

Dated: _____, 20__
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

Project ID:*
B014D

CBA

Fact Sheet Date:*
05-05-2021

Fact Sheet Year:*
2021

Project Title:*
EXTERIOR INFRASTRUCTURE
REPAIRS, WHITE PLAINS COMPLEX
(2016-2020)

Legislative District ID:
8.

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
PUBLIC WORKS

CP Unique ID:
1682

Overall Project Description

Rehabilitation of building exteriors and site work at the White Plains Complex (MOB, Low Rise Bldg., Richard J. Daronco Courthouse and Annex, 112 East Post Road, 85 Court Street, and 143 Grand Street).

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" 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	2021	2022	2023	2024	2025	Under Review
Gross	6,075	6,075	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	6,075	6,075	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 600

Current Bond Description: Funding is requested for design associated with the rehabilitation of 112 East Post Road and 143 Grand Street. The work at 112 East Post Road includes rehabilitation of the parapet, facade, exterior metals, penthouse structures; installation of rooftop access stairs; and all associated work. The work at 143 Grand Street includes window replacement; facade rehabilitation; reconstruction of the Quarropas Street building entrance and handicapped ramp; and all associated work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	900,000
Cash:	0
Total:	\$ 900,000

SEQR Classification:
TYPE II

Amount Requested:
900,000

Comments:

Energy Efficiencies:

THE REPLACEMENT WINDOWS WILL BE THERMALLY BROKEN, LOW-E DOUBLE GLAZED WINDOWS.

Appropriation History:

Year	Amount	Description
2016	2,675,000	112 E, POST RD, - PARAPET AND FACADE REPAIRS; INSTALLATION OF ROOFTOP STAIRS; METAL REPAIRS; REHABILITATION OF PENTHOUSE STRUCTURES
2017	1,800,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT FOR EXTERIOR REPAIRS TO 143 GRAND ST.
2018	1,600,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT FOR THE RICHARD J. DARONCO COURTHOUSE

Total Appropriation History:

6,075,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
18	179	600,000	600,000	RECONSTRUCTION OF NORTH SIDE OF SIDEWALK AND ASSOCIATED WORK AT THE COURTHOUSE

Total Financing History:

600,000

Recommended By:

Department of Planning	Date
WBB4	05-14-2021
Department of Public Works	Date
RJB4	05-17-2021
Budget Department	Date
LMY1	05-17-2021
Requesting Department	Date
RJB4	05-19-2021

EXTERIOR INFRASTRUCTURE REPAIRS, WHITE PLAINS COMPLEX (2016-2020) (B014D)

User Department : Public Works

Managing Department(s) : Public Works ;

Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	6,075	6,075	600						
Non County Share									
Total	6,075	6,075	600						

Project Description

Rehabilitation of building exteriors and site work at the White Plains Complex (MOB, Low Rise Bldg., Richard J. Daronco Courthouse and Annex, 112 East Post Road, 85 Court Street, and 143 Grand Street).

Current Year Description

There is no current year request.

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
2016	2,675,000	112 E, Post Rd, - parapet and facade repairs; installation of rooftop stairs; metal repairs; rehabilitation of penthouse structures	AWAITING BOND AUTHORIZATION
2017	1,800,000	Design, construction and construction management for exterior repairs to 143 Grand St.	AWAITING BOND AUTHORIZATION
2018	1,600,000	Design, construction and construction management for the Richard J. Daronco Courthouse	\$1,000,000- AWAITING BOND AUTHORIZATION; \$600,000 - COMPLETE
Total	6,075,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	6,075,000	600,000	5,475,000
Total	6,075,000	600,000	5,475,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
179 18	600,000	12/10/19	501,054	
		12/10/19	98,946	
Total	600,000		600,000	