

**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 \$810,000 to finance capital project BES24 (2237) REPLACEMENT OF SMOKE HOUSE BUILDING ("BES24"). The Bond Act, which was prepared by the law firm Harris Beach PLLC, will finance the design, special studies, and administrative reviews associated with the demolition of the existing smoke house and construction of a new smoke house fire training prop.

The Department of Emergency Services ("DES") has advised that the existing smoke house is over 45 years old and has had several large repairs during its life as a result of normal wear and tear to the structure. The repairs are failing due to the building's age and the repeated exposure to the temperature extremes of live fire, its rapid extinguishment and high pressure impacts resulting from the use of fire hoses during each training evolution. This has resulted in building deterioration and fatigue. Surrounding paved surfaces are exhibiting similar damage from the same wear and tear conditions noted to the building itself.

Your Committee is advised that this realistic fire training prop is one of the most used at the DES training facility. It is used on a nearly daily basis by fire departments from municipalities throughout the County as a valuable hands-on fire suppression training tool for their fire fighters.

Your Committee is further advised that the National Fire Protection Agency (NFPA) has Standards (NFPA 1402 Standards for Fire Training and Associated Props) to ensure structural fitness and safety for LIVE burn buildings. The existing smoke house has been inspected by engineers who recommend the building be replaced and not renovated again.

Following bonding authorization, design will be scheduled and is anticipated to take 9 months to complete. It is anticipated that the design work will be completed by consultants. It is also estimated that construction will take 14 months to complete and will begin after award and execution of the construction contracts.

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 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: September 13th, 2023
White Plains, New York

James Kelly Jones
J. De
Symra Brunden
c/cmc 07.10.2023
Vedat Jasbi
C. De Paul
Maury Bar

J. De
Vedat Jasbi
C. De Paul
Maury Bar

Margaret A. Cejo
Vedat Jasbi
Maury Bar
[Signature]

9/12/2023

Budget & Appropriations

Publicworks &
Transportation

Public Safety

Dated: September 12th, 2023
White Plains, New York

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

Public Safety

Sydney D. Brandon

[Signature]

[Signature]

Dated: September 13, 2023
White Plains, New York

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



Handwritten signature of Bill Rein in cursive script.



Handwritten signature of Bill Rein in cursive script.

COMMITTEES ON


Budget & Appropriations

Public Works & Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>BES24</u>		<input type="checkbox"/> NO FISCAL IMPACT PROJECTED		
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget				
<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND		
Source of County Funds (check one):		<input checked="" type="checkbox"/> Current Appropriations		
		<input type="checkbox"/> Capital Budget Amendment		
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance				
Total Principal	\$ 810,000	PPU 5	Anticipated Interest Rate	2.78%
Anticipated Annual Cost (Principal and Interest):		\$ 177,674		
Total Debt Service (Annual Cost x Term):		\$ 888,370		
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):				
<u>No impact</u>				
SECTION D - EMPLOYMENT As per federal guidelines, each \$92,000 of appropriation funds one FTE Job				
Number of Full Time Equivalent (FTE) Jobs Funded:	8			
SECTION E - EXPECTED DESIGN WORK PROVIDER				
<input checked="" type="checkbox"/> County Staff	<input type="checkbox"/> Consultant	<input type="checkbox"/> Not Applicable		
Prepared by:	<u>Richard G. Wishnie</u>	Reviewed By:	<u><i>Christina Kawato</i></u>	
Title:	<u>Commissioner</u>		Budget Director	
Department:	<u>Emergency Services</u>	<i>07/25/23</i>	Date: <u>7/25/23</u>	
Date:	<u>7/20/23</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 17, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BES24 REPLACEMENT OF SMOKE HOUSE BUILDING**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 06-16-2023 (Unique ID: 2237)

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)(24):** information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
 - **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, studies and reviews only.

DSK/cnm

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

ACT NO. 172 - 2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$810,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING FOR THE REPLACEMENT OF THE SMOKE HOUSE BUILDING LOCATED ON THE VALHALLA GRASSLANDS CAMPUS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$810,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$810,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 09/18 , 2023)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$810,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of planning for the replacement of the Smoke House Building located on the Valhalla Grasslands campus, including design, special studies and administrative reviews associated with demolition of the existing

smoke house and construction of a new Smoke House fire training prop; 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 \$810,000. The plan of financing includes the issuance of \$810,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

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

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$810,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes

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

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

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

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

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

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

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

* * *

CAPITAL PROJECT FACT SHEET

Project ID:*

BES24

CBA

Fact Sheet Date:*

06-05-2023

Fact Sheet Year:*

2023

Project Title:*

REPLACEMENT OF SMOKE HOUSE BUILDING

Legislative District ID:

3,

Category*

BUILDINGS, LAND & MISCELLANEOUS

Department:*

EMERGENCY SERVICES

CP Unique ID:

2237

Overall Project Description

This project funds a new Smoke House Building fire training prop located in the fire training yard on the Valhalla Grasslands campus.

Best Management Practices

Energy Efficiencies

Infrastructure

Life Safety

Project Labor Agreement

Revenue

Security

Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	6,310	0	810	5,500	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	6,310	0	810	5,500	0	0	0	0

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

Current Bond Description: Funding is requested for the design, special studies and administrative reviews associated with demolition of the existing smoke house and construction of a new Smoke House fire training prop.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	810,000
Cash:	0
Total:	\$ 810,000

SEQR Classification:

TYPE II

Amount Requested:

810,000

Comments:

The design will be done in accordance with NFPA 1402 Standards for Fire Training and Associated Props.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2023	810,000	DESIGN

Total Appropriation History:

810,000

Total Financing History:

0

Recommended By:

Department of Planning

MLLL

Date

06-16-2023

Department of Public Works

RJB4

Date

06-20-2023

Budget Department

DEV9

Date

06-20-2023

Requesting Department

KAN1

Date

06-21-2023

REPLACEMENT OF SMOKE HOUSE BUILDING (BES24)

User Department : Emergency Services
Managing Department(s) : Emergency Services ; Public Works ;
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	6,310			810	5,500				
Non County Share									
Total	6,310			810	5,500				

Project Description

This project funds a new Smoke House Building fire training prop located in the fire training yard on the Valhalla Grasslands campus.

Current Year Description

The current year request funds design.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	810,000			810,000

Impact on Operating Budget

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

STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

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

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on September 18, 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, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

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

Newspaper and/or other news media

Date Given
September 13, 2023

WVOX
FIOS1
News Channel 12
The Journal News

Hometown Media

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:

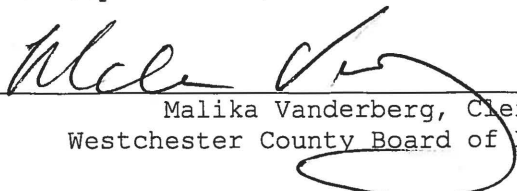
Designated Location(s)
of posted notice

Date of Posting
September 13, 2023

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on September 19, 2023.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

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


AYES: Legislator Jose Alvarado
 Legislator Nancy Barr
 Legislator Catherine Borgia
 Legislator Benjamin Boykin
 Legislator Symra Brandon
 Legislator Terry Clements
 Legislator Margaret Cunzio
 Legislator Vedat Gashi
 Legislator David Imamura
 Legislator Damon Maher
 Legislator James Nolan
 Legislator Catherine Parker
 Legislator Erika Pierce
 Legislator Colin Smith
 Legislator Jewel Williams-Johnson
 Legislator Tyrae Woodson-Samuels

NOES:

ABSENT: Legislator David Tubiolo

The Bond Act was thereupon declared duly adopted.

* * * * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 9-19-73

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 172 - 2023, 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 September 18, 2023, and approved by the County Executive on September 19, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 20th day of September, 2023.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

