

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 an Act which, if adopted, would authorize the County of Westchester ("County") to amend its current-year capital budget ("Capital Budget Amendment"), as well as adopt a related bond act in the amount of \$1,000,000 (the "Bond Act"), to finance the following capital project:

BES20 – DES Backup Generator ("BES20").

The proposed Capital Budget Amendment will amend the County's current-year capital budget to increase the County share for BES20 by \$1,000,000 to provide additional funding to account for inflation and cost escalation since the project was first budgeted in 2019.

The related Bond Act, in the amount of \$1,000,000, would provide additional funding for the purchase of the emergency generator that will provide backup power for the Department of Emergency Services ("DES") facility.

DES has advised that the existing generator has reached the end of its useful life and does not provide 100% redundancy to the facility. The new generator will also support the planned improvements to DES's facility.

Design has been completed by in-house staff. Following bonding authorization, it is estimated that construction will take twenty-seven (27) months to complete and will begin after award and execution of construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance the acquisition of the emergency generator for the Department's facility, as set forth in the attached fact sheet.

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.

Office of the County Executive

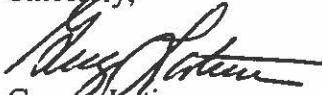
Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Telephone: (914)995-2900

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

Based on the importance of this project to the County, favorable action on the proposed Capital Budget Amendment and Bond Act is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", written over a horizontal line.

George Latimer
County Executive

GL/cmc
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 \$1,000,000, to finance capital project BES20 – DES Backup Generator (“BES20”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s current-year capital budget to increase the County share for BES20 by \$1,000,000 to provide additional funding to account for inflation and cost escalation since the project was first budgeted in 2019.

Your Committee is further advised that the Bond Act, in the amount of \$1,000,000, which was prepared by the law firm of Hawkins Delafield & Wood, LLP, would provide additional funding for the purchase of an emergency generator that would provide backup power for the Department of Emergency Services (“DES”) facility.

DES has advised that the existing generator has reached the end of its useful life and does not provide 100% redundancy to the facility. The new generator will also support the planned improvements to DES’s facility.

Your Committee is advised that design for this project has been completed by in-house staff. Your Committee is further advised that following bonding authorization, it is estimated that construction will take twenty-seven (27) months to complete and will begin after award and execution of construction contracts.

Your Committee notes that this Honorable Board has previously authorized the County to issue bonds to finance the acquisition of the emergency generator for the Department’s facility, as set forth in the attached fact sheet.

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.

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

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

Dated: _____, 2023
White Plains, New York

COMMITTEE ON

C:cmc/07.06.2023

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BES20

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 10 Anticipated Interest Rate 2.72%

Anticipated Annual Cost (Principal and Interest): \$ 116,286

Total Debt Service (Annual Cost x Term): \$ 1,162,860

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: 10

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Richard G. Wishnie

Title: Commissioner

Department: Emergency Services

Date: 7/25/23

Reviewed By: *Christina Paragato*

Budget Director

Date: 7/25/23

7/25/23

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:
BES20 DES BACKUP GENERATOR**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 06-16-2023 (Unique ID: 2241)

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;
- **617.5(c)(9):** construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;
- **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: The replacement generator will be larger in size and capacity and housed in a new walk-in structure along with new aboveground fuel tanks that will be housed in the same enclosure. The new generator structure will be located approximately 70 feet to the west of the original generator and underground fuel tanks, which will be removed. The proposed new location is adjacent to the entrance drive to the Fire Training Center at Grasslands. Five trees of approximately 6-inch caliper will need to be removed. Tree replacements will be added to the project.

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

To: The Westchester County Planning Board

From: Kelly Sheehan, Assistant Commissioner *KS*

Date: July 12, 2023

RE: **Capital Budget Amendment –
BES20 DES Backup Generator**

The County Executive is requesting an amendment to the 2023 Capital Budget to modify the funding of the above project. Capital project **BES20 DES Backup Generator** will fund the purchase of an emergency generator that provides backup power for the DES facility.

A Capital Budget Amendment in the amount of \$1,000,000 is being requested due to a significant increase in costs since the initial estimates were obtained in 2020. This project was classified as a PL1, project without physical planning aspects of concern to the Planning Board in the 2021 Report on the Capital Project Requests adopted July 7, 2020.

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 BES20 DES
 Emergency Generator

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	\$3,900,000	\$1,000,000	\$4,900,000

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	\$3,900,000	\$1,000,000	\$4,900,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$3,900,000</u>	<u>\$1,000,000</u>	<u>\$4,900,000</u>

Section 3. The ACT shall take effect immediately.