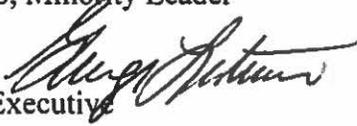


November 10, 2022

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

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act – BLR2E –
Labs & Research Equipment Acquisition '21-'25.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators November 14, 2022 Agenda.

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 up to \$1,339,000 in bonds of the County to finance the following capital project for 2023: BLR2E.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for November 14, 2022 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

November 10, 2022

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 up to \$1,339,000 in bonds of the County to finance the following capital project for 2023:

BLR2E - Labs and Research Equipment Acquisition (2021-2025) ("BLR2E").

This project funds the acquisition of new and replacement equipment for the Department of Labs and Research's (the "Department") public health, forensic science, toxicology, environmental and medical examiner labs. The Department must use complex, high-tech new and replacement instrumentation in order to carry out its required activities and maintain a state of the art laboratory facility. This instrumentation is necessary for the continued health and safety of Westchester County residents.

The current bonding request will finance the cost of the acquisition of various lab equipment, including, but not limited to: a Solid Phase Extractor, a DNA Real-time PCR, a Matrix Assisted Laser Desorption/Ionization Time-Of-Flight (MALDI-TOF) Identification system, a Quadruple Time-Of-Flight Liquid Chromatography/Mass Spectrometer (Q_TOF LC/MS/MS), a Gas Chromatographic-Electron Capture Detection Solid Phase Extractor (GC/ECD/ SPE-DEX), and a REESE Temperature Monitoring System Expansion. It is expected that the Department will purchase the equipment within eighteen (18) to twenty-four (24) months after bonding authorization.

It should be noted that your Honorable Board has previously authorized bonding in connection with prior components of BLR2E as indicated in the annexed fact sheet.

The County Budget Department has advised that it is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

Office of the County Executive

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

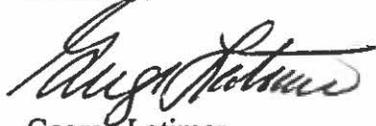
Email: CE@westchestergov.com
Telephone: (914)995-2900

westchestergov.com

The Planning Department has advised that, based on its review, the above referenced capital project is classified as a "Type II" action pursuant to the State Environmental Quality Review Act ("SEQR"). Therefore, no further environmental review is required for this project. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

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

Sincerely,

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

George Latimer
County Executive

GL/LS/DAB/jpg

**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”) which, if adopted, would authorize the County of Westchester (the “County”) to issue up to \$1,339,000 in bonds of the County to finance capital project BLR2E - Labs and Research Equipment Acquisition (2021-2025) (“BLR2E”) for 2023.

Your Committee is advised that this project funds the acquisition of new and replacement equipment for the Department of Labs and Research’s (the “Department”) public health, forensic science, toxicology, environmental and medical examiner labs. As this Honorable Board knows, the Department must use complex, high-tech new and replacement instrumentation in order to carry out its required activities and maintain a state of the art laboratory facility. This instrumentation is necessary for the continued health and safety of Westchester County residents.

The Department has advised that the Bond Act, prepared by the law firm of Hawkins Delafield & Wood, LLP, will finance the cost of the acquisition of various lab equipment, including, but not limited to: a Solid Phase Extractor, a DNA Real-time PCR, a Matrix Assisted Laser Desorption/Ionization Time-Of-Flight (MALDI-TOF) Identification system, a Quadruple Time-Of-Flight Liquid Chromatography/Mass Spectrometer (Q_TOF LC/MS/MS), a Gas Chromatographic-Electron Capture Detection Solid Phase Extractor (GC/ECD/ SPE-DEX), and a REESE Temperature Monitoring System Expansion. It is expected that the Department will purchase the equipment within eighteen (18) to twenty-four (24) months after bonding authorization.

It should be noted that this Honorable Board has previously authorized bonding in connection with prior components of BLR2E as indicated in the annexed fact sheet.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County’s goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

The Planning Department has advised that, based on its review, the above capital project is a “Type II” action under the State Environmental Quality Review Act (“SEQR”), and its implementing regulations, 6 NYCRR Part 617, which is an action determined not to have a significant effect on the environment and therefore does not require further environmental review. Your Committee has reviewed the annexed SEQR documentation prepared by the Planning Department 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: _____, 2022
White Plains, New York

COMMITTEE ON

c:/jpg/9-27-2022

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BLR2E

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 \$ 1,339,000 PPU 5 Anticipated Interest Rate 3.22%

Anticipated Annual Cost (Principal and Interest): \$ 292,637

Total Debt Service (Annual Cost x Term): \$ 1,463,185

Finance Department: Interest rates from October 18, 2022 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

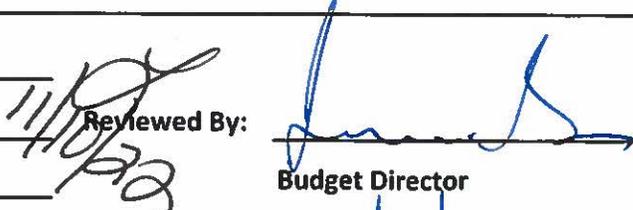
Not Applicable

Prepared by: Diane Anton

Title: Chief Administrator

Department: Laboratories and Research

Date: 11/9/22

Reviewed By: 

Budget Director

Date: 11/10/22

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

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: October 4, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BLR2E LABS AND RESEARCH EQUIPMENT ACQUISITION (2021-2025)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 09-20-2022 (Unique ID: 2090)

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)(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/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
Lorraine Marzola, Associate Budget Director
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,339,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF LAB EQUIPMENT FOR THE DEPARTMENT OF LABS AND RESEARCH, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,339,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,339,000 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, and to the provisions of other laws applicable thereto, \$1,339,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the acquisition of various lab equipment, including, but not limited to Solid Phase Extraction, DNA Real-time PCR, MALDI-TOF Identification system, Q TOF LC/MS/MS, GC/ECD/ SPE-DEX Extractor and REESE Temperature Monitoring System Expansion, 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 total estimated cost of said class of objects or purposes, including

preliminary costs and costs incidental thereto and the financing thereof is \$1,339,000. The plan of financing includes the issuance of \$1,339,000 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 said objects or purposes, within the limitations of Section 11.00 a. 89 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 \$1,339,000. 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 \$1,339,000 as the estimated total cost of the aforesaid class of objects or purposes is hereby approved, and as the amount of bonds herein authorized is not in excess of \$10,000,000, this Act is not subject to referendum.

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. 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 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

CAPITAL PROJECT FACT SHEET

Project ID:* BLR2E	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-03-2023
Fact Sheet Year:* 2023	Project Title:* LABS AND RESEARCH EQUIPMENT ACQUISITION (2021-2025)	Legislative District ID: 3,
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* LABS AND RESEARCH	CP Unique ID: 2090

Overall Project Description

This project fund the replacement and acquisition of equipment and instrumentation to support this department's programs.

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" type="checkbox"/> Energy Efficiencies | <input type="checkbox"/> Infrastructure |
| <input checked="" type="checkbox"/> Life Safety | <input type="checkbox"/> Project Labor Agreement | <input type="checkbox"/> Revenue |
| <input checked="" 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	5,395	2,832	1,339	1,224	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,395	2,832	1,339	1,224	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 1,756

Current Bond Description: Bonding is requested to purchase equipment such as: Solid Phase Extraction, DNA Real-time PCR, MALDI-TOF Identification system, Q_TOF LC/MS/MS, GC/ECD/ SPE-DEX Extractor, REESE Temperature Monitoring System Expansion	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	1,339,000
Cash:	0
Total:	\$ 1,339,000

SEQR Classification:
TYPE II

Amount Requested:
1,339,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2021	840,000	FUNDS EQUIPMENT FOR TOXICOLOGY
2022	1,992,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:
2,832,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
22	220	1,992,000		0 LABS AND RESEARCH EQUIPMENT ACQUISITION (2021-2025)
21	39	840,000		0 LABS AND RESEARCH EQUIP - GAS CHROMATOGRAPH/MASS SPECTROMETER, SPECTOPHOTOMETER, HP LIGUID CHROM ETC

Total Financing History:

2,832,000

Recommended By:

Department of Planning
WBB4

Date
09-20-2022

Department of Public Works
RJB4

Date
09-20-2022

Budget Department
LMY1

Date
09-22-2022

Requesting Department
DAA1

Date
09-27-2022

LABS AND RESEARCH EQUIPMENT ACQUISITION (2021-2025) (BLR2E)

User Department : Labs and Research
Managing Department(s) : Labs and Research ;
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	5,395	2,832	1,756	1,339	1,224				
Non County Share									
Total	5,395	2,832	1,756	1,339	1,224				

Project Description

This project fund the replacement and acquisition of equipment to support this department's programs.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	1,339,000			1,339,000

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
2021	840,000	Funds equipment for Toxicology	IN PROGRESS
2022	1,992,000	Continuation of this project	IN PROGRESS
Total	2,832,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,832,000		2,832,000
Total	2,832,000		2,832,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
39 21	840,000			840,000
220 21	1,992,000			1,992,000
Total	2,832,000			2,832,000