

**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 \$1,200,000 to finance capital project BPL35 Hilltop Hanover Farm and Environmental Center ("BPL35"). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates and related feasibility studies and analysis necessary for the construction of improvements to the County's Hilltop Hanover Farm and Environmental Center, including advancing the master plan to provide feasibility analysis and conceptual layout and design of buildings and infrastructure in accordance with the master plan recommendations, and fund design of needed electrical upgrades, architectural and cultural resources analysis and documentation.

The Department of Planning ("Department") has advised that while the Master Plan provides an exciting and comprehensive vision for the future of the facility, the infrastructure, buildings and accessory structures at Hilltop Hanover Farm continue to require rehabilitation and upgrades in order to meet the existing and planned facility programming and activity needs, including the existing crop and livestock programs as well as the native plant program, which has been extremely successful and requires additional investment in infrastructure to achieve its potential. BPL35 will address health, safety and security issues for visitors, staff and livestock at the site and promote best practices for environmental stewardship and sustainable and resilient living.

Projects that do not require substantive design will be designed in-house or utilizing on-call consultant services. More substantive projects—such as the continued development of the master plan, the preparation of an associated building, site and cultural resources study, and the design of an electrical system upgrade will be designed by appropriate consultants. Following bonding authorization, all projects will be moved forward to implementation. The master plan continuation and related work will begin in Fall of 2023 and take approximately twelve months to complete. The electrical system design will begin in early 2024 and take six to twelve months to complete. Design and implementation of needed building, site and infrastructure rehabilitation will begin as soon as needed and take approximately six to twelve months to complete. Construction funding

(\$800,000) for the rehabilitation work is proposed under a separate bond act. All projects will be coordinated with the master plan.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with BPL35 as indicated in the annexed fact sheet.

The Department has advised your Committee that based on its review, the authorization of BPL35 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: November 1st, 2023
White Plains, New York

[Handwritten signatures]
Vedat Fathi
Manny & Ben
Symma Brandon

[Handwritten signatures]
Vedat Fathi
Manny & Ben

[Handwritten signatures]
Vedat Fathi
Manny & Ben
Symma Brandon

c mg 6-20-23

Budget & Appropriations

COMMITTEE ON

Public Works & Transportation

Parks & Recreation

Dated: November 1, 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.

Clayton R. Maher

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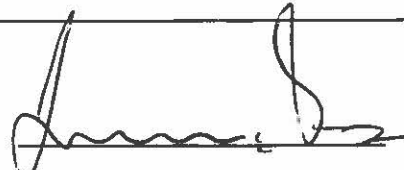
COMMITTEES ON

Budget & Appropriations


Public Works & Transportation

Parks & Recreation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>BPL35</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	\$	1,200,000	PPU 5 Anticipated Interest Rate 2.88%
Anticipated Annual Cost (Principal and Interest):		\$	264,038
Total Debt Service (Annual Cost x Term):		\$	1,320,190
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			
<input type="checkbox"/> County Staff		<input checked="" type="checkbox"/> Consultant	
		<input type="checkbox"/> Not Applicable	
Prepared by:	<u>Michael Lipkin</u>		
Title:	<u>Associate Planner</u>		
Department:	<u>Planning</u>		
Date:	<u>8/1/23</u>		
	Reviewed By:		
	<u>DV 8/2/23</u>	Budget Director	
	Date:	<u>8/3/23</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 7, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BPL35 HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
06-16-2023 (Unique ID: 2234)

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)(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: 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
Kelly Sheehan, Assistant Commissioner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. 225 - 2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,200,000 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 AND RELATED FEASIBILITY STUDIES AND ANALYSIS NECESSARY FOR PLANNING THE CONSTRUCTION OF IMPROVEMENTS TO HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,200,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 11/13 , 2023)

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, \$1,200,000 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 and related feasibility studies and analysis necessary for the construction of improvements to Hilltop Hanover Farm and Environmental Center, including advancing the master plan to provide feasibility analysis and conceptual layout and design of

buildings and infrastructure in accordance with the master plan recommendations, and fund design of needed electrical upgrades, architectural and cultural resources analysis and documentation; 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 specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$1,200,000. The plan of financing includes the issuance of \$1,200,000 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 specific object or purpose for which the 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 maximum amount of \$1,200,000. 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 \$1,200,000 as the estimated total cost of the aforesaid specific 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)
)
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 November 13, 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
November 9, 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
November 9, 2023

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on November 14, 2023.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

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:

EXCUSED: Legislator David Tubiolo

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 11-15-23

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 225 - 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 November 13, 2023, and approved by the County Executive on November 15, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 17th day of November, 2023.

Malika Vanderberg

Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

