

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

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester (“County”) of an act amending the County’s current-year Capital Budget (“Capital Budget Amendment”), as well as adoption of a related amended bond act (“Amended Bond Act”) which, if adopted, will authorize the County to issue up to \$8,893,000 in additional bonds of the County to finance capital project BES14 – Equipment Storage Building (“BES14”).

The proposed Capital Budget Amendment will amend the County’s capital budget to increase the current-year appropriation for BES14 by \$3,100,000. The Department of Emergency Services (“Department”) has advised that the additional funds are required to account for an increase in building size to accommodate the Department’s current and future needs, as well as to allow for installation of a solar photovoltaic system and due to inflation since the project was first budgeted for in 2015.

The Amended Bond Act was prepared by the law firm Hawkins, Delafield & Wood, in the total amount of \$9,708,000, which includes \$815,000 in previously authorized bonds of the County, would finance the cost of design, construction and construction management of an equipment storage building for the Department to house, clean and maintain deployable emergency equipment.

The Department has advised that expensive deployable equipment such as trailers, generators, pumps, messaging signs, light towers and sandbaggers is presently stored outside in an uncovered fenced-in area and various other locations around the Fire Training Center grounds. The equipment is exposed to harsh seasonal conditions that accelerate weather-related deterioration and reduce equipment life expectancy. In addition, the padlocked, fenced area provides limited security and the movement of equipment in an emergency situation is hindered during colder, snowy months of the year. Significant investment has been made in developing the capabilities and capacities of this deployable equipment and this facility will enhance the overall longevity of the assets.

Design is currently being undertaken by a consultant and is expected to be completed by the third quarter of 2021. It is anticipated that construction will take approximately eighteen months to complete and will begin after award and execution of the construction contracts, subject to approval of construction financing by your Honorable Board.

It should be noted that your Honorable Board has authorized the County to issue bonds for BES14 as follows: Bond Act No. 55-2015 in the amount of \$815,000 was authorized to finance design. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 55-2015 be amended to increase the amount authorized by \$8,893,000, for a total authorized amount, as amended, of \$9,708,000, to revise the scope of Bond Act No. 55-2015 to include work associated with the construction phase of BES14, and to increase the period of probable usefulness of said bonds.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project has been classified as an "Unlisted" action under the State Environmental Quality Review Act ("SEQR"). A Resolution, and proposed Negative Declaration, along with a Short Environmental Assessment Form, prepared by the Planning Department, are attached to assist your Honorable Board in complying with SEQR. Upon review, your Committee concludes that the proposed action will not have any significant impact on the environment and recommends the adoption of the Resolution adopting the Negative Declaration. As you know, a determination of significance must be made prior to enacting the aforementioned Amended Bond Act.

In addition, Section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. Accordingly, the required Planning Board documentation for BES14 will be forwarded under separate cover.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Amended Bond Act, and recommends approval of both of the proposed Acts, noting that the Amended Bond Act can only be enacted following adoption of the Capital Budget Amendment. It should 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 Amended Bond Act.

Dated: September 27 2021  
White Plains, New York

<del>Benjamin Boynton</del>	<del>Benjamin Boynton</del> Culman K Res Water WOP WPK	Benjamin Boynton Res Water WOP
Public Safety	Budget & Appropriations	Public Works & Transportation

COMMITTEE ON

Dated: September 27, 2021  
White Plains, New York

**The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.**

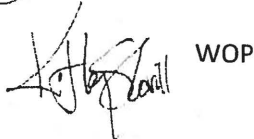
Committee(s) on:

**Public Safety**



Margaret A. Cunzio

Nancy E. Pan WOP

 WOP

Mary Jane Skimmons WOP

Catherine F. Parker



**Budget & Appropriations**

Nancy E. Pan WOP

Margaret A. Cunzio

Vedat Palm WOP

Catherine F. Parker

Alfreda Willis



**Public Works & Transportation**

Vedat Palm WOP

Mary Jane Skimmons WOP

 WOP

Catherine F. Parker



# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BES14

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 \$ 9,708,000 PPU 25 Anticipated Interest Rate 1.13%

Anticipated Annual Cost (Principal and Interest): \$ 445,832

Total Debt Service (Annual Cost x Term): \$ 11,145,800

Finance Department: Interest rates from July 21, 2021 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):

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## SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 97

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Richard G. Wishnie

Title: Commissioner

Department: Emergency Services

Date: 7/26/21

Reviewed By:   
Budget Director

Date: 7/26/21

An Act amending the 2021 County  
 Capital Budget Appropriations for  
 Capital Project BES14 - Equipment  
 Storage Building

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The Capital section of the 2021 County Budget is hereby amended as follows:

	Previous 2021 Appropriation	Change	Revised 2021 Appropriation
I. Appropriation	\$6,608,000	\$3,100,000	\$9,708,000

Section 2. The estimated method of financing in the Capital Section of the 2021 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$6,608,000	\$3,100,000	\$9,708,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$6,608,000	\$3,100,000	\$9,708,000

Section 3. The ACT shall take effect immediately.

**RESOLUTION 167 - 2021**

**WHEREAS**, there is pending before this Honorable Board a Capital Budget (“Capital Budget Amendment”), and amended bond act (“Amended Bond Act”) in connections with Capital Project BES14 – Equipment Storage Building (“BES14”); and

**WHEREAS**, this Honorable Board has determined that the proposed Capital Budget Amendment and Amended Bond Act would constitute an action under Article 8 of the Environmental Conservation Law, known as the New York State Environmental Quality Review Act (“SEQR”); and

**WHEREAS**, pursuant to SEQR and its implementing regulations (6 NYCRR Part 617), this project is classified as an “Unlisted action,” which requires this Honorable Board to make a determination as to whether the proposed action will have a significant impact on the environment; and

**WHEREAS**, the County of Westchester is the only involved agency for this action and, therefore, is assuming the role of Lead Agency; and

**WHEREAS**, in accordance with SEQR and its implementing regulations, a Short Environmental Assessment Form has been prepared to assist this Honorable Board in its environmental assessment of this proposed action; and

**WHEREAS**, this Honorable Board has carefully considered the proposed action and has reviewed the attached Short Environmental Assessment Form and the criteria set forth in Section 617.7 of the implementing regulations and has identified the relevant areas of environmental concern, as described in the attached Short Environmental Assessment Form, to determine if this proposed action will have a significant impact on the environment.

**NOW, THEREFORE**, be it resolved by the County Board of Legislators of the County of Westchester, State of New York, as follows:

**RESOLVED**, that based upon the Honorable Board's review of the Short Environmental Assessment Form and for the reasons set forth therein, this Board finds that there will be no significant adverse impact on the environment from the Capital Budget Amendment and Amended Bond Act; and be it further

**RESOLVED**, that the Clerk of the Board of Legislators is authorized and directed to sign the "Determination of Significance" in the Short Environmental Assessment Form, which is attached hereto and made a part hereof, as the "Responsible Officer in Lead Agency"; to issue this "Negative Declaration" on behalf of this Board in satisfaction of SEQR and its implementing regulations; and to immediately transmit same to the Commissioner of Planning to be filed, published and made available pursuant to the requirements of Part 617 of 6 NYCRR; and be it further

**RESOLVED**, that the Resolution shall take effect immediately.



# Short Environmental Assessment Form

## Part 1 - Project Information

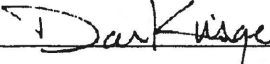
### Instructions for Completing

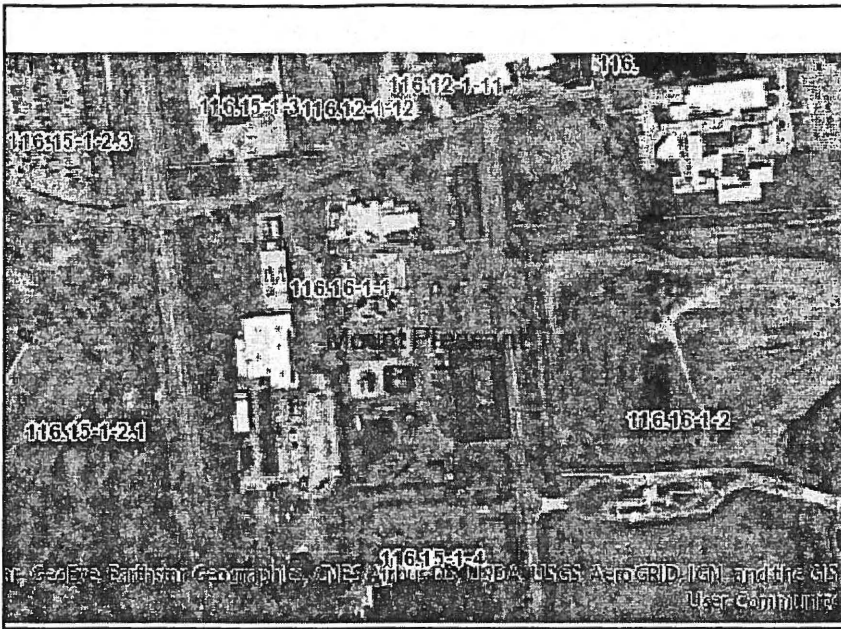
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

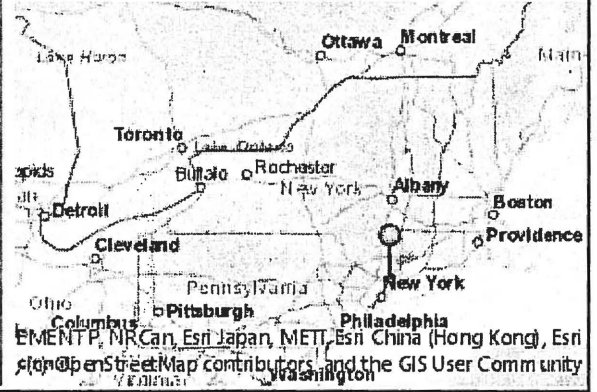
<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Department of Emergency Services Equipment Storage Building (BES14)			
Project Location (describe, and attach a location map): Walker Road, Valhalla (Town of Mount Pleasant), Westchester County, NY			
Brief Description of Proposed Action: Construction of a new 23,000 square-foot storage building to house and maintain deployable emergency equipment and supplies, which are currently stored outdoors, unprotected. Site work includes concrete, asphalt, landscaping, drainage improvements and connections to nearby utilities, including water, gas, electric and sewer.  The new building will include a security system, fire alarm system, data and telephone connections, and energy efficient building systems, such as LED lighting and a solar photovoltaic system. The project will provide a secure, dry and climate-controlled environment to protect the expensive equipment and supplies.			
Name of Applicant or Sponsor: County of Westchester		Telephone: 914-995-2089 E-Mail: dsk2@westchestergov.com	
Address: 148 Martine Avenue			
City/PO: White Plains		State: NY	Zip Code: 10601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 1.4 acres b. Total acreage to be physically disturbed? _____ 1.3 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 456+/- acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Institutional <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: Project will meet state energy code. _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Freshwater pond (PUBHx) on National Wetlands Inventory is located approximately 225 feet to the west of the project site. This pond has been altered and currently receives runoff from existing adjoining development. This project will not affect this pond. _____	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe:		
Stormwater runoff on the east side of the proposed facility, which includes the driveway, will flow into the existing drainage system associated with Walker Road. Roof runoff from the new building will be directed into a new underground retention system that will be installed on the west side which will promote stormwater infiltration.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:		
The underground stormwater management system is approximately 30 feet x139 feet and is designed to meet NYS codes for WQV and rate control. There will be a weir downstream to control the flow leaving the site.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No cases could be found on the NYSDEC Environmental Site Remediation Database. No known past or current remediation occurring onsite or adjacent to site.		
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>County of Westchester</u> Date: <u>July 22, 2021</u>		
Signature: <u></u> Title: <u>Director of Environmental Planning</u>		



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

Project:	BES14 Equipment Storage Bldg
Date:	July 2021

**Short Environmental Assessment Form  
Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: BES14 Equipment Storage Bldg

Date: July 2021

### Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed new storage building will not have a significant impact on the environment or surrounding land uses as it will be built in the same location as the existing open storage area, which is bordered by facilities serving the departments of Emergency Services, Public Safety, and Public Works and Transportation. The land to the east is owned by New York City Department of Environmental Protection, which contains its drinking water ultraviolet disinfection facility.

The majority of the site is level and cleared, but the west side slopes down and contains a small rock retaining wall that will need to be removed. Additionally, approximately a dozen trees along the west and south border of the site will need to be removed to accommodate the larger building footprint and the installation of an underground stormwater retention system.

Approximately 10 trees will need to be removed to accommodate the new building and related infrastructure, including several trees in excess of 24 inches DBH. Tree loss will be mitigated by the planting of new trees on the site on a minimum 1 to 1 ratio. Only native species will be planted.

The proposed stormwater retention system will mitigate the increase in stormwater runoff associated with the new structure, allowing for infiltration so there will be no off-site impacts.

The storage building will be accessible off of Walker Road, minimizing required road improvements. Traffic will primarily be limited to times of emergencies, when emergency equipment and supplies stored at the facility will be deployed.

Although the EAF Mapper indicated hazardous waste remediation in the vicinity, no such remediation is known and no cases could be found on the NYSDEC Environmental Site Remediation Database.

The EAF Mapper also indicated archaeological sensitivity of the area. There will be minimum excavation associated with the building as it will be slab on grade. Underground impacts will be limited to the extension of utilities and the proposed underground stormwater retention system. The project site, however, is surrounded by extensive development and is unlikely to contain intact archaeological resources.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

County of Westchester

Name of Lead Agency

Malika Vanderberg

Print or Type Name of Responsible Officer in Lead Agency

*Malika Vanderberg*  
Signature of Responsible Officer in Lead Agency

*10/5/2021*  
Date

Clerk of the Board of Legislators

Title of Responsible Officer

*Dan Kusge*  
Signature of Preparer (if different from Responsible Officer)

ACT NO. <sup>174</sup>-2021

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED APRIL 27, 2015 IN RELATION TO THE CONSTRUCTION OF AN EQUIPMENT STORAGE BUILDING FOR THE DEPARTMENT OF EMERGENCY SERVICES, AT THE MAXIMUM ESTIMATED COST OF \$9,708,000. (Adopted 10/04 , 2021 ).

WHEREAS, this Board has heretofore duly authorized the issuance of \$815,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the construction of an equipment storage building for the Department of Emergency Services, pursuant to Act No. 55-2015 duly adopted on April 27, 2015; and

WHEREAS, it is now appropriate to authorize such improvement, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such improvement;

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 (A).** The bond act duly adopted by this Board on April 27, 2015, entitled:

“ACT NO. 55-2015

BOND ACT AUTHORIZING THE ISSUANCE OF \$815,000 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 CONSTRUCTION OF AN EQUIPMENT STORAGE BUILDING FOR THE DEPARTMENT OF EMERGENCY SERVICES; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$815,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$815,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$9,708,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF AN EQUIPMENT STORAGE BUILDING FOR THE DEPARTMENT OF EMERGENCY SERVICES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$9,708,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$9,708,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Adopted 10/04 , 2021 )

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; \$9,708,000 bonds of the County, or so much thereof



as may be necessary, are hereby authorized to be issued to finance the design, construction and construction management of an equipment storage building for the Department of Emergency Services to house, clean and maintain deployable emergency equipment, 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 \$9,708,000. The plan of financing includes the issuance of \$9,708,000 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 and notes.

Section 2. The period of probable usefulness of the specific object or purpose for which said \$9,708,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 11(b) of the Law, is twenty-five (25) 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 \$9,708,000. 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 \$9,708,000 as the estimated maximum 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.

**Section (B).** The amendment of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

**Section (C).** This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

\* \* \*

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> BES14	<input checked="" type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 06-28-2021
<b>Fact Sheet Year:*</b> 2021	<b>Project Title:*</b> EQUIPMENT STORAGE BUILDING	<b>Legislative District ID:</b> 3,
<b>Category*</b> BUILDINGS, LAND & MISCELLANEOUS	<b>Department:*</b> EMERGENCY SERVICES	<b>CP Unique ID:</b> 1715

**Overall Project Description**

This project provides for the design, construction and associated site work of a storage building to house, clean and maintain deployable emergency equipment. The building will provide a secure, dry and climate controlled environment to house this expensive equipment.

- |                                                               |                                                         |                                                    |
|---------------------------------------------------------------|---------------------------------------------------------|----------------------------------------------------|
| <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 checked="" 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
<b>Gross</b>	9,708	6,608	0	0	0	0	0	3,100
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	9,708	6,608	0	0	0	0	0	3,100

**Expended/Obligated Amount (in thousands) as of:** 278

**Current Bond Description:** Funding is requested for construction and construction management associated with a storage building to house, clean and maintain deployable emergency equipment.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	8,893,000
Cash:	0
<b>Total:</b>	<b>\$ 8,893,000</b>

**SEQR Classification:**

UNLISTED

**Amount Requested:**

8,893,000

**Comments:**

A Capital Budget Amendment in the amount of \$3,100,000 (shown under review) is being requested to provide additional funding to account for an increase in size to accommodate current and future needs; installation of a solar photovoltaic system, and inflation since the project was first budgeted in 2015.

**Energy Efficiencies:**

THE BUILDING HAS BEEN DESIGNED WITH ENERGY EFFICIENT BUILDING SYSTEMS, LED LIGHTING AND A SOLAR PHOTOVOLTAIC SYSTEM.

**Appropriation History:**

Year	Amount	Description
2015	815,000	DESIGN FOR A BUILDING THAT WILL HOUSE DEPLOYABLE EMERGENCY EQUIPMENT
2016	5,793,000	CONSTRUCTION

**Total Appropriation History:**

6,608,000

**Financing History:**

<b>Year</b>	<b>Bond Act #</b>	<b>Amount</b>	<b>Issued</b>	<b>Description</b>
15	55	815,000		0 EQUIPMENT STORAGE BUILDING FOR DES

**Total Financing History:**

815,000

**Recommended By:**

**Department of Planning**

WBB4

**Date**

07-21-2021

**Department of Public Works**

RJB4

**Date**

07-21-2021

**Budget Department**

LMY1

**Date**

07-21-2021

**Requesting Department**

SBS9

**Date**

07-21-2021

## EQUIPMENT STORAGE BUILDING ( BES14 )

**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	2021	2022	2023	2024	2025	Under Review
Gross	6,608	6,608	278						
Non County Share									
<b>Total</b>	<b>6,608</b>	<b>6,608</b>	<b>278</b>						

### **Project Description**

This project provides for the design, construction and associated site work of a storage building to house, clean and maintain deployable emergency equipment. The building will provide a secure, dry and climate controlled environment to house this expensive equipment.

### **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
2015	815,000	Design for a building that will house deployable emergency equipment	DESIGN
2016	5,793,000	Construction	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>6,608,000</b>		

### **Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	6,608,000		6,608,000
<b>Total</b>	<b>6,608,000</b>		<b>6,608,000</b>

### **Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
55 15	815,000			815,000
<b>Total</b>	<b>815,000</b>			<b>815,000</b>

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 October 4, 2021 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 29, 2021

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 29, 2021

[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on October 5, 2021.



*Sunday Vanderberg*  
\_\_\_\_\_  
Sunday Vanderberg, Clerk  
Westchester County Board of Legislators

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

AYES:

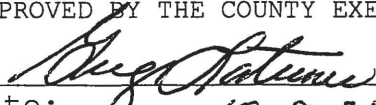
Legislator Jose Alvarado  
Legislator Nancy Barr  
Legislator Catherine Borgia  
Legislator Benjamin Boykin  
Legislator Terry Clements  
Legislator Kitley Covill  
Legislator Margaret Cunzio  
Legislator Vedat Gashi  
Legislator Christopher Johnson  
Legislator Damon Maher  
Legislator Catherine Parker  
Legislator MaryJane Shimsky  
Legislator Colin Smith  
Legislator David Tubiolo  
Legislator Ruth Walter  
Legislator Alfreda Williams  
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

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

  
Date: 10-8-21



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

I HEREBY CERTIFY that I have compared the foregoing Act No. 173 - 2021, Resolution No. 167 - 2021, and (Bond) Act No. 174 - 2021, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original Act, Resolution, and (Bond) Act, which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on October 4, 2021, and approved by the County Executive on October 8, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 14<sup>th</sup> day of October, 2021.



Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

