

April 12, 2023

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: **CBA & Bond Act –
RLEN2 – Lenoir Preserve Buildings.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators April 17, 2023 Agenda.

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 (the "Capital Budget Amendment"), as well as adopt a related Bond Act ("Bond Act") which, if adopted, would authorize the County to issue bonds in the amount of \$1,200,000 to finance the following capital project: RLEN2.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for April 17, 2023 "blue sheet" calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

April 12, 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 (the "Capital Budget Amendment"), as well as adopt a related Bond Act ("Bond Act") which, if adopted, would authorize the County to issue bonds in the amount of \$1,200,000 to finance the following capital project:

RLEN2 – Lenoir Preserve Buildings ("RLEN2").

The proposed Capital Budget Amendment will amend the County's current year capital budget to increase the County share for RLEN2 by \$1,200,000 to fund increased costs associated with this project.

The Bond Act, in the amount of \$1,200,000, would finance additional costs associated with the reconstruction of the porch substructure, new security system infrastructure and a new stormwater retention system for the roof leader drains.

The Department of Parks, Recreation and Conservation ("Department") has advised that significant deterioration of the porch's substructure, as well as settling of the foundation walls, were discovered during the construction phase of this project. The new stormwater system will direct roof leader drainage away from the porch and the building alleviating any future settlement issues. In addition, recent vandalism incidents at the mansion have necessitated enhanced security measures to protect the County's investment in this building.

Design has been completed. It is anticipated that construction will take nine months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance prior phases of RLEN2 as follows: Bond Act No. 131-2018 in the amount of \$745,000 which financed design; and Bond Act No. 110-2020, which amended Bond Act No. 131-2018 by increasing the total amount authorized by \$4,385,000 for construction funding, thereby increasing the total bonding amount from \$745,000 to \$5,130,000. \$1,632,607 in bonds under Bond Act No. 110-2020 have been sold. The proposed Bond Act will authorize the County to finance an additional \$1,200,000 for this project for the aforesaid purposes.

Office of the County Executive

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

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

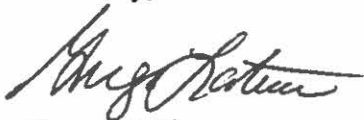
westchestergov.com

The Planning Department has advised that based on its review, the above-referenced capital project has been classified as a "Type II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

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. The Planning Department has 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 cursive script, appearing to read "George Latimer".

George Latimer
County Executive

GL/KOC/jpg
Attachments

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

Your Committee is in receipt of a transmission from the County Executive recommending approval of an Act amending the County of Westchester's (the "County") current-year Capital Budget (the "Capital Budget Amendment"), as well as adoption of a related bond act (the "Bond Act") in the amount of \$1,200,000, to finance Capital Project RLEN2 – Lenoir Preserve Buildings ("RLEN2").

The proposed Capital Budget Amendment will amend the County's current year capital budget to increase the County share for RLEN2 by \$1,200,000 to fund increased costs associated with this project.

The Bond Act, which was prepared by the law firm Harris Beach, PLLC, is required to finance additional costs associated with the reconstruction of the porch substructure, new security system infrastructure and a new stormwater retention system for the roof leader drains.

The Department of Parks, Recreation and Conservation ("Department") has advised that significant deterioration of the porch's substructure, as well as settling of the foundation walls, were discovered during the construction phase of this project. The new stormwater system will direct roof leader drainage away from the porch and the building alleviating any future settlement issues. In addition, recent vandalism incidents at the mansion have necessitated enhanced security measures to protect the County's investment in this building.

Your Committee is advised that design has been completed. It is anticipated that construction will take nine (9) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance prior phases of RLEN2 as follows: Bond Act No. 131-2018 in the amount of \$745,000 which financed design; and Bond Act No. 110-2020, which amended Bond Act No. 131-2018 by increasing the total amount authorized by \$4,385,000 for construction funding, thereby increasing the total bonding amount from \$745,000 to \$5,130,000. \$1,632,607 in bonds under Bond Act No. 110-2020 have been sold. The proposed Bond Act will authorize the County to finance an additional \$1,200,000 for this project for the aforesaid purposes.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project has been classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this conclusion.

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. The Planning Department has 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.

Your Committee is advised that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to amend the County’s Capital Budget, as well as to adopt the related Bond Act.

Dated: _____, 20____.
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RLEN2

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 \$ 1,200,000 PPU 15 Anticipated Interest Rate 2.63%

Anticipated Annual Cost (Principal and Interest): \$ 97,998

Total Debt Service (Annual Cost x Term): \$ 1,469,970

Finance Department: Interest rates from April 4, 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: 13

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Robert Lopane

Title: Program Coordinator-Capital Planning

Department: Public Works & Transportation


Date: 4/11/23

Reviewed By: DV 4/11/23


Budget Director

Date: 4/11/23

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

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

DATE: April 4, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RLEN2 LENOIR PRESERVE BUILDINGS**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 03-17-2023 (Unique ID: 2163)

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)(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: 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
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Peter Tartaglia, First Deputy Commissioner of Parks, Recreation and Conservation
Robert Lopane, Program Coordinator, Department of Public Works & Transportation
Dianne Vanadia, Senior Budget Analyst
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

To: Honorable George Latimer, County Executive
Lawrence Soule, Budget Director

From: Norma Drummond, Commissioner



Re: **Capital Budget Amendment:
RLEN2 Lenoir Preserve Buildings**

Date: March 28, 2023

Attached is a memo from the Planning Department to the County Planning Board advising the Board of the proposed Capital Budget Amendments (CBA) to modify funding of the above project.

These are financing changes only and there are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, as stated in the memo, no further action by the Planning Board is required.

NVD/ml
Attachment

cc: Ken Jenkins, Deputy County Executive
Joan McDonald, Director of Operations
Emily Saltzman, Deputy Director of Operations
Paula Friedman, County Executive's Office
Blanca Lopez, Deputy Commissioner of Planning
Tami Altschiller, Assistant Chief Deputy County Attorney
Jeffrey Goldman, Assistant County Attorney
Michelle Greenbaum, Assistant County Attorney
Dianne Vanadia, Associate Budget Director
Kelly Sheehan, Assistant Commissioner
David S. Kvinge, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Kelly Sheehan, Assistant Commissioner *KS*

Date: March 28, 2023

RE: **Capital Budget Amendment –
RLEN2 Lenoir Preserve Buildings**

The County Executive is requesting an amendment to the 2023 Capital Budget to modify the funding of the above project. Capital project RLEN2 Lenoir Preserve Buildings, will fund the renovation of the buildings at Lenoir Preserve, a 40 acre nature preserve in North Yonkers.

A Capital Budget Amendment in the amount of \$1,200,000 is being requested to provide additional funding to address increased costs with the reconstruction of the porch substructure and foundation walls, new security system infrastructure and a new stormwater retention system.

This project was classified as a PL2HP, a project with physical planning and historic preservations aspects to the Planning Board in the 2016 Report on the Capital Project Requests adopted July 7, 2015.

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: Norma V. Drummond, Commissioner
David S. Kvinge, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner

An Act amending the 2023 County
 Capital Budget Appropriations for
 Capital Project RLEN2 Lenoir
 Preserve Buildings

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	\$5,130,000	\$1,200,000	\$6,330,000

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	\$5,130,000	\$1,200,000	\$6,330,000
Non County Shares	\$0	\$0	\$0
Cash	\$0	\$0	\$0
Total	\$5,130,000	\$1,200,000	\$6,330,000

Section 3. The ACT shall take effect immediately.