

ACT NO. - 20 \_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,680,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT IN CONNECTION WITH THE REPLACEMENT OF BOILERS AT 112 EAST POST ROAD IN THE CITY OF WHITE PLAINS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,680,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,680,000 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, \$2,680,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the design, construction management and construction associated with the replacement of the existing oil fired boilers with new dual fuel boilers; replacement of the existing pumps and associated work at 112 East Post Road, White Plains, 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 \$2,680,000. The plan of financing includes the issuance of \$2,680,000 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 \$2,680,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.13 of the Law, is fifteen (15) 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 \$2,680,000. 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 \$2,680,000 as the estimated total cost of the aforesaid objects or purposes 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            )  
  : 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\_\_\_\_.

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Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

(SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 20\_\_\_\_, and approved by the County Executive on \_\_\_\_\_, 20\_\_\_\_, and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. \_\_\_\_\_-20\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,680,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT IN CONNECTION WITH THE REPLACEMENT OF BOILERS AT 112 EAST POST ROAD IN THE CITY OF WHITE PLAINS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,680,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,680,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted \_\_\_\_\_, 20\_\_\_\_)

object or purpose: to finance the cost of the design, construction management and construction associated with the replacement of the existing oil fired boilers with new dual fuel boilers; replacement of the existing pumps and associated work at 112 East Post Road, White Plains, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued  
and period of probable usefulness: \$2,680,000; fifteen (15) years

Dated: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

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Clerk and Chief Administrative Officer of the County  
Board of Legislators of the County of Westchester, New  
York

## CAPITAL PROJECT FACT SHEET

**Project ID:\***  
B0098

CBA

**Fact Sheet Date:\***  
09-07-2021

**Fact Sheet Year:\***  
2021

**Project Title:\***  
MECHANICAL EQUIPMENT  
UPGRADE, WHITE PLAINS  
COMPLEX

**Legislative District ID:**  
8,

**Category\***  
BUILDINGS, LAND &  
MISCELLANEOUS

**Department:\***  
PUBLIC WORKS

**CP Unique ID:**  
1758

**Overall Project Description**

This project will fund design and construction to replace existing air handling units, exhaust fans, pumps, and miscellaneous equipment at MOB and 85 Court Street to incorporate the latest technologies for energy efficiency. The upgrade will significantly reduce the amount of energy required for heating and cooling in these buildings.

- |   |   |  |
|---|---|--|
| <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 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>	4.880	3.575	0	0	0	0	0	1.305
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	4.880	3.575	0	0	0	0	0	1.305

**Expended/Obligated Amount (in thousands) as of :** 2,160

**Current Bond Description:** Funding is requested for design, construction management and construction associated with the replacement of the existing oil fired boilers with new dual fuel boilers; replacement of the existing pumps and associated work at 112 East Post Road, White Plains.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	2,680,000
Cash:	0
<b>Total:</b>	<b>\$ 2,680,000</b>

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
2,680,000

**Comments:**

A Capital Budget Amendment in the amount of \$1,305,000 (shown under review) is being requested to provide funds for additional work determined during the design including a new ceiling mounted combustion air intake duct serving the basement level boiler room; modification of the existing piping; replacement of the exhaust flue piping and cost escalation.

**Energy Efficiencies:**

THE NEW BOILERS AND ASSOCIATED EQUIPMENT WILL BE MORE ENERGY EFFICIENT THAN THE EXISTING BOILERS.

**Appropriation History:**

Year	Amount	Description
2013	2,200,000	FOR UPGRADES TO MOB AND 85 COURT STREET
2017	1,375,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT FOR REPLACEMENT OF BOILERS AND ASSOCIATED WORK AT 112 EAST POST RD.

**Total Appropriation History:**

3,575,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
13	200	0	0	MECHANICAL EQUIPMENT UPGRADE, WHITE PLAINS COMPLEX
18	45	2,200,000	2,147,015	MECHANICAL EQUIPMENT UPGRADE, WHITE PLAINS COMPLEX

**Total Financing History:**

2,200,000

**Recommended By:**

Department of Planning  
WBB4

Date  
09-28-2021

Department of Public Works  
RJB4

Date  
09-29-2021

Budget Department  
LMY1

Date  
09-30-2021

Requesting Department  
RJB4

Date  
09-30-2021



## MECHANICAL EQUIPMENT UPGRADE, WHITE PLAINS COMPLEX ( B0098 )

**User Department :** Public Works  
**Managing Department(s) :** Public Works ;  
**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	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	<b>3,575</b>	<b>3,575</b>	<b>2,160</b>						
<b>Non County Share</b>									
<b>Total</b>	<b>3,575</b>	<b>3,575</b>	<b>2,160</b>						

### Project Description

This project will fund design and construction to replace existing air handling units, exhaust fans, pumps, and miscellaneous equipment at MOB and 85 Court Street to incorporate the latest technologies for energy efficiency. The upgrade will significantly reduce the amount of energy required for heating and cooling in these buildings.

### 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
2013	2,200,000	For upgrades to MOB and 85 Court street	COMPLETE
2017	1,375,000	Design, construction and construction management for replacement of boilers and associated work at 112 East Post Rd.	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>3,575,000</b>		

### Prior Appropriations

	Appropriated	Collected	Uncollected
<b>Bond Proceeds</b>	<b>3,575,000</b>	<b>2,147,015</b>	<b>1,427,985</b>
<b>Total</b>	<b>3,575,000</b>	<b>2,147,015</b>	<b>1,427,985</b>

### Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
200 13				
45 18	2,200,000	12/10/18	2,147,015	52,985
<b>Total</b>	<b>2,200,000</b>		<b>2,147,015</b>	<b>52,985</b>