

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act ("Bond Act") in the amount of \$5,300,000, to authorize the County of Westchester ("County") to finance capital project A0147 – Terminal Systems Infrastructure ("A0147").

Your Committee is advised that the Bond Act, prepared by the law firm of Hawkins Delafield & Wood, LLP, would fund the replacement of end of life/obsolete software and computer components for the Baggage Handling system; and the purchase and installation of a dedicated emergency generator to support business continuity at the terminal.

The Department of Public Works and Transportation has advised that this project addresses terminal infrastructure that requires replacement or rehabilitation due to end of useful life, evolving security requirements and technology needs, and/or environmental enhancements.

Following bonding authorization, design will be scheduled and is anticipated to take eight (8) months to complete for both projects. The baggage handling system design will be performed by BNP Associates, Inc., the proprietary design engineering firm and operator. The emergency generator design will be performed by a consultant. Construction for both projects is estimated to take up to two (2) years and will begin after award and execution of the construction contracts.

The Planning Department has advised your Committee that based on its review, the above referenced capital project may be 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 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 this Honorable Board is required in order to adopt the Bond Act.

Your Committee has carefully considered the proposed Bond Act, and recommends approval of same.

k.jpg/12-22-23

Dated: February 5th, 2024

White Plains, New York

Henry Zales John
Zales
Dorinda Lubin
Nancy Bar
Tedat John
John
Michelle
John

Zales
Nancy Bar
Michelle
Tedat John
John

COMMITTEE ON

Budget & Appropriations

Public Works &
Transportation

Dated: February 5, 2024
White Plains, New York

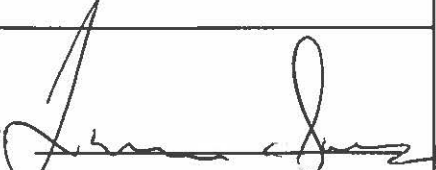
The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

A handwritten signature in black ink, appearing to read "Colin J. Smith". The signature is written in a cursive style with a large, stylized "S" at the end.


COMMITTEE ON
Budget & Appropriations

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>A0147</u>		<input type="checkbox"/> NO FISCAL IMPACT PROJECTED	
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget			
<input type="checkbox"/> GENERAL FUND	<input checked="" 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	\$ 5,300,000	PPU	10
		Anticipated Interest Rate	2.35%
Anticipated Annual Cost (Principal and Interest):	\$ 604,696		
Total Debt Service (Annual Cost x Term):	\$ 6,046,960		
Finance Department:	Interest rates from January 9, 2024 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:	58		
Prepared by:	<u>Dianne Vanadia</u>	Reviewed By:	
Title:	<u>Associate Budget Director</u>		<u>Budget Director</u>
Department:	<u>Budget</u>		
Date:	<u>10/4/23</u>	Date:	<u>1/18/24</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: October 2, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
A0147 TERMINAL SYSTEMS INFRASTRUCTURE**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
08-23-2023 (Unique ID: 2331)

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)(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
Dianne Vanadia, Associate Budget Director
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACTNO. 14 - 2024

BOND ACT AUTHORIZING THE ISSUANCE OF \$5,300,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE CONSTRUCTION OF VARIOUS IMPROVEMENTS AT THE COUNTY AIRPORT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$5,300,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$5,300,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 02/05 , 2024)

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, \$5,300,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance two critical infrastructure systems: replacing end of life/obsolete software and computer components to the Baggage Handling system; and purchase and installation of a dedicated emergency generator to support business continuity of the terminal, 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 class of objects or purposes, including preliminary costs and costs

incidental thereto and the financing thereof is \$5,300,000. The plan of financing includes the issuance of \$5,300,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness applicable to the class of objects or purposes for which the bonds authorized by this Act are to be issued within the limitations of Section 11.00 a. 14 of the Law, is ten (10) 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 \$5,300,000. 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 \$5,300,000 as the estimated total cost of the aforesaid class of 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.

CAPITAL PROJECT FACT SHEET

Project ID:*

A0147

CBA

Fact Sheet Date:*

01-02-2024

Fact Sheet Year:*

2024

Project Title:*

TERMINAL SYSTEMS
INFRASTRUCTURE

Legislative District ID:

6,

Category*

AIRPORT

Department:*

AIRPORT/DOT

CP Unique ID:

2331

Overall Project Description

This project addresses terminal infrastructure that requires replacement or rehabilitation due to end of useful life, evolving security requirements and technology needs, and/or environmental enhancements.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input checked="" type="checkbox"/> Infrastructure |
| <input checked="" type="checkbox"/> Life Safety | <input type="checkbox"/> Project Labor Agreement | <input type="checkbox"/> Revenue |
| <input checked="" type="checkbox"/> Security | <input type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2024	2025	2026	2027	2028	Under Review
Gross	5,300	0	5,300	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,300	0	5,300	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 0

Current Bond Description: This request will fund two critical infrastructure systems: replacing end of life/obsolete software and computer components to the Baggage Handling system; and purchase and installation of a dedicated emergency generator to support business continuity of the terminal.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	5,300,000
Cash:	0
Total:	\$ 5,300,000

SEQR Classification:

TYPE II

Amount Requested:

5,300,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:

Energy Efficiencies:

Total Financing History:

0

Recommended By:

Department of Planning

MLLL

Date

08-23-2023

Department of Public Works

RJB4

Date

08-24-2023

Budget Department

DEV9

Date

08-28-2023

Requesting Department

LGFA

Date

09-05-2023

TERMINAL SYSTEMS INFRASTRUCTURE (A0147)

User Department : Airport/DOT

Managing Department(s) : Airport/DOT ;

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	2024	2025	2026	2027	2028	Under Review
Gross	5,300			5,300					
Non County Share									
Total	5,300			5,300					

Project Description

This project addresses the terminal infrastructure that is in need of replacement or refurbishment due to end useful life, security requirements, technological advances, and/or environmental advances.

Current Year Description

The current year request funds a dedicated emergency/standby generator to support the terminal building, and a baggage handling system upgrade.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2024	5,300,000			5,300,000

Impact on Operating Budget

The impact on the Airport Special Revenue Fund is the debt service associated with the issuance of bonds.

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 February 5, 2024 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
February 1, 2024

News Channel 12
The Journal News
Hometown Media
CBS2NY
The Examiner News
WABCTV News

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
February 1, 2024

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on February 6, 2024.





Malika 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 Benjamin Boykin
- Legislator Terry Clements
- Legislator Margaret Cunzio
- Legislator Vedat Gashi
- Legislator Judah Holstein
- Legislator David Imamura
- Legislator James Nolan
- Legislator Catherine Parker
- Legislator Erika Pierce
- Legislator Colin Smith
- Legislator David Tubiolo
- Legislator Emiljana Ulaj
- Legislator Shanae Williams
- Legislator Jewel Williams-Johnson
- Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *

APPROVED BY THE COUNTY EXECUTIVE


 Date: 2-6-24

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 14 - 2024, 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 February 5, 2024, and approved by the County Executive on February 6, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 7th day of February, 2024.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

