

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

Your Committee is in receipt of an amended bond act (“Amended Bond Act”) in the total amount of \$950,000 which includes \$600,000 in previously authorized bonds of the County of Westchester (“County”) to finance Capital Project BCR50 – Infirmary/Suicide Prevention Area (“BCR50”). The Amended Bond Act, which was prepared by the law firm Hawkins, Delafield, & Wood, is required to finance the cost of design in connection with renovations to the County Correctional Facility to provide for a staff-efficient suicide prevention watch area.

The Department of Corrections (“Department”) has advised that additional financing is required because the scope of BCR50 has evolved from a stand-alone building to renovation of existing space in the jail. The Department seeks to use existing space in the Jail (J-Block) by retrofitting existing space to accommodate a suicide prevention area. The Department has advised that this will minimize construction costs and expedite completion of the project. Since design was already started on a stand-alone building, many internal specifications from that design will be used for this renovation project.

Following bonding authorization, design will be scheduled and is anticipated to take nine months to complete. Design is being undertaken by a consultant. Construction is estimated to take twelve 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 a portion of BCR50, as follows: Bond Act No. 85-2013 in the amount of \$600,000 to finance design in connection with BCR50. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 85-2013 be amended to increase the total amount authorized by \$350,000, for a total authorized amount, as amended, of \$950,000.

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.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Amended Bond Act. Your Committee recommends the adoption of the proposed Amended Bond Act.

Dated: September 27, 2021
White Plains, New York

~~Benjamin Boyer~~
Margaret A. Cyo

Calvin B.
L. Williams
~~Benjamin Boyer~~
Margaret A. Cyo
Ruth Walter

Calvin B.
~~Benjamin Boyer~~
Ruth Walter

~~Benjamin Boyer~~
Ruth Walter

Public Safety

Budget &
Appropriations

Environment
Health

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:

Environment & Health

Budget & Appropriations

**Public
Safety**

**Public Works &
Transportation**

Catherine F. Parke

Catherine F. Parke

Catherine F. Parker

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BCR50

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 \$ 950,000 PPU 5 Anticipated Interest Rate 0.39%

Anticipated Annual Cost (Principal and Interest): \$ 192,196

Total Debt Service (Annual Cost x Term): \$ 960,980

Finance Department: Interest rates from July 1, 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): None

Potential Related Revenues (Annual): None

Anticipated savings to County and/or impact of department operations

(describe in detail for current and next four years):

Departmental operations will be improved by renovation of existing space to establish a suicide prevention area ensuring the health and safety of residents and staff.

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 10

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: William Fallon

Title: Director of Administrative Services

Department: Correction


Date: 7/7/21

Reviewed By: 

Budget Director

Date: 7/5/21

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

FROM: David S. Kvinge, AICP, RLA, CFM 
Director of Environmental Planning

DATE: June 30, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BCR50 INFIRMARY/SUICIDE PREVENTION AREA**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-19-2021 (Unique ID: 1691)

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)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.
-

COMMENTS: The current request is for design only.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Yazzetta, Associate Budget Director
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20 _____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED MAY 20, 2013 TO FINANCE THE COST OF PLANNING AND DESIGN FOR THE RENOVATION OF THE WESTCHESTER CORRECTIONAL FACILITY TO PROVIDE FOR A SUICIDE PREVENTION AREA, AT THE MAXIMUM ESTIMATED COST OF \$950,000. (Adopted _____, 20_____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$600,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the construction of a new infirmary at the Westchester County Correction Facility to provide for a suicide prevention area, pursuant to Act No. 85-2013 duly adopted on May 20, 2013; and

WHEREAS, it has been determined that there is existing available space at the Westchester County Correctional Facility for the construction of a suicide prevention area, and it is necessary to revise the prior bond act and 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 May 20, 2013, entitled:

“ACT NO. 85-2013

BOND ACT AUTHORIZING THE ISSUANCE OF \$600,000 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 A NEW INFIRMARY AT THE WESTCHESTER COUNTY CORRECTIONAL FACILITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$600,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$600,000 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 \$950,000 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 RENOVATION OF THE WESTCHESTER COUNTY CORRECTIONAL FACILITY TO PROVIDE FOR A SUICIDE PREVENTION AREA, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$950,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$950,000 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, \$950,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the renovation

of the Westchester County Correctional Facility to provide for a staff-efficient suicide prevention watch area; 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 \$950,000. The plan of financing includes the issuance of \$950,000 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 said specific object or purpose, within the limitations of Section 11.00 a. 62(2nd) of the Law, is five (5) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$950,000. 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 \$950,000 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.

* * *

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

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____.

The Clerk and Chief Administrative Office of the County Board of Legislators 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 May 20, 2013 and amended on _____, 20____ and approved, as amended, 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 amended 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 \$950,000 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 RENOVATION OF THE WESTCHESTER COUNTY CORRECTIONAL FACILITY TO PROVIDE FOR A SUICIDE PREVENTION AREA, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$950,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$950,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on May 20, 2013 and amended on _____, 20____)

object or purpose: to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the renovation of the Westchester County Correctional Facility to provide for a staff-efficient suicide prevention watch area; 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: \$950,000; five (5) years

Dated: _____, 20____
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

Project ID:*
BCR50

CBA

Fact Sheet Date:*
05-19-2021

Fact Sheet Year:*
2021

Project Title:*
INFIRMARY/SUICIDE PREVENTION
AREA

Legislative District ID:
3,

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
CORRECTION

CP Unique ID:
1691

Overall Project Description

This project will replace the present "infirmary" and create a new staff efficient suicide prevention watch area, located at the Westchester County Correction facility.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" 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	2021	2022	2023	2024	2025	Under Review
Gross	5,200	5,200	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,200	5,200	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 580

Current Bond Description: Bonding is requested to fund design modification from a stand alone building to renovation of existing space in the jail.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	350,000
Cash:	0
Total:	\$ 350,000

SEQR Classification:
TYPE II

Amount Requested:
350,000

Comments:

Energy Efficiencies:

THE EXISTING LIGHTING SYSTEM WILL BE REPLACED WITH ENERGY EFFICIENT LED LIGHTING.

Appropriation History:

Year	Amount	Description
2013	600,000	DESIGN
2014	4,600,000	CONSTRUCTION

Total Appropriation History:
5,200,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
13	85	600,000	0	INFIRMARY / SUICIDE PREVENTION AREA FACILITY AT WESTCHESTER COUNTY CORRECTIONS FACILITY

Total Financing History:

600,000

Recommended By:

Department of Planning
WBB4

Date
05-19-2021

Department of Public Works
RJB4

Date
05-19-2021

Budget Department
LMY1

Date
05-25-2021

Requesting Department
WPF4

Date
05-25-2021

INFIRMARY/SUICIDE PREVENTION AREA (BCR50)

User Department : Correction
Managing Department(s) : Correction ; 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	5,200	5,200	580						
Non County Share									
Total	5,200	5,200	580						

Project Description

This project will replace the present "infirmary" and create a new staff efficient suicide prevention watch area, located at the Westchester County Correction facility.

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	600,000	Design	DESIGN
2014	4,600,000	Construction	AWAITING BOND AUTHORIZATION
Total	5,200,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	5,200,000		5,200,000
Total	5,200,000		5,200,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
85 13	600,000			600,000
Total	600,000			600,000