

(BOND) ACT 213 - 2024

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester ("County") of a bond act ("Bond Act") in the amount of \$50,000 to finance a component of capital project WCC90 – Technology Upgrade Off Campus ("WCC90"). The Bond Act, which was prepared by the law firm Hawkins Delafield & Wood, LLP, will finance the County's 50% share of Phase V Technology Upgrade of the Westchester Community College ("College") off campus facilities. Phase V will address the replacement of digital signage, media equipment, laptop, pc, printer, scanner, wireless equipment and phone replacement which are all on a five-year replacement cycle. The College has advised that this phase is necessary in order for the College to operate as a 21st century facility, as required by today's society.

The College has advised that the total amount appropriated for this phase of WCC90 is \$100,000. This bond request, in the amount of \$50,000, represents the County's 50% share of this phase of the project. The remaining 50% will be funded by New York State.




Following receipt by the College of New York State funds and County bonding authorization, the College anticipates that the work will be completed within approximately twenty-four (24) months. It is anticipated that the work will be completed by in-house personnel.


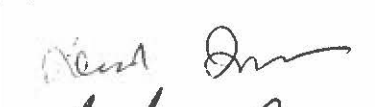
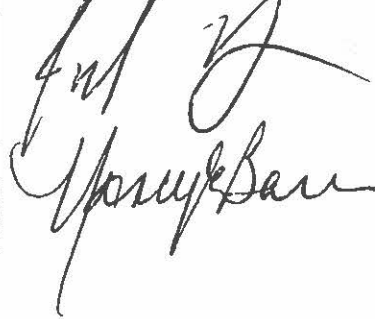
The Planning Department has advised your Committee that based on its review, WCC90 may be classified as a Type "II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

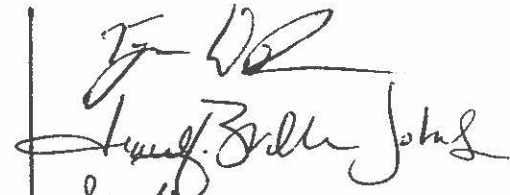
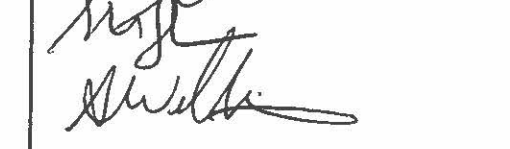
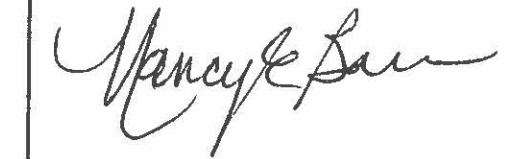
It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Bond Act.

Your Committee recommends the adoption of the proposed Bond Act.

Dated: October 15th, 2024
White Plains, New York


James J. Zeller, Chief

John Smith

Nancy E. Barr
c/cmc/9-05-2024



John Smith

Nancy E. Barr


James J. Zeller, Chief

John Smith

Nancy E. Barr

Budget & Appropriations

Information Technology
& Cybersecurity

Public Works & Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC90

☐ 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 \$ 50,000 PPU 5 Anticipated Interest Rate 2.40%

Anticipated Annual Cost (Principal and Interest): \$ 10,842

Total Debt Service (Annual Cost x Term): \$ 54,209

Finance Department: maab 9-10-24

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):

No Operating Impact

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded:

Prepared by: Dawn Gillins

Title: Assistant Vice President/Comptroller

Department: WCC

Date: 9/13/24


Reviewed By: 

Budget Director

Date: 9/13/24

9/16/24

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: August 6, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
WCC90 TECHNOLOGY UPGRADE OFF CAMPUS 2017/18-2021/22**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
07-16-2024 (Unique ID: 2578)

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)(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
Dawn Gillins, Westchester Community College
Dianne Vanadia, Associate Budget Director
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. 213 - 2024

BOND ACT AUTHORIZING THE ISSUANCE OF \$50,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE V OF THE WESTCHESTER COMMUNITY COLLEGE TECHNOLOGY UPGRADE-OFF CAMPUS PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$100,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$50,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$50,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 10/21 , 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, \$50,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance Phase V of the Westchester Community College technology upgrade-off campus program, 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 objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$100,000. The plan of financing includes the issuance of \$50,000 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, and the application of \$50,000 expected to be received from the State of New York to be expended towards the cost of said objects or purposes or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the class of objects or purposes for which said \$50,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 35 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 \$50,000. 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 \$100,000 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:* WCC90	<input type="checkbox"/> CBA	Fact Sheet Date:* 07-05-2024
Fact Sheet Year:* 2024	Project Title:* TECHNOLOGY UPGRADE OFF CAMPUS 2017/18-2021/22	Legislative District ID: 3,
Category* WCC - BUILDINGS	Department:* COMMUNITY COLLEGE	CP Unique ID: 2578

Overall Project Description

The College as most centers of higher education, is under increasing pressure to offer the basic technological support services required by today's society. Long term considerations must be given to adequately plan for the introduction of new technologies. The scope of this project supports the modest programs which introduces new and replacement technologies at the colleges off campus locations. This endeavor is essential for WCC to remain competitive in the future. It will enable the College to maintain its commitment to providing the high level of instruction expected by the residents of Westchester County and all those who attend.

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input 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	2024-25	2025-26	2026-27	2027-28	2028-29	Under Review
Gross	500	500	0	0	0	0	0	0
Less Non-County Shares	250	250	0	0	0	0	0	0
Net	250	250	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 25

Current Bond Description: Current bonding approval is necessary to fund the County's 50% share of \$50,000 of Phase V of the Technology Upgrade Off Campus. This project will address the need to replace digital signage, media equipment, laptop, pc, printer, scanner, wireless equipment and phone replacement which are all on a five year replacement cycle.

Financing Plan for Current Request:

Non-County Shares:	\$ 50,000
Bonds/Notes:	50,000
Cash:	0
Total:	\$ 100,000

SEQR Classification:

TYPE II

Amount Requested:

50,000

Expected Design Work Provider:

- | | | |
|---------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> County Staff | <input type="checkbox"/> Consultant | <input checked="" type="checkbox"/> Not Applicable |
|---------------------------------------|-------------------------------------|--|

Comments:

The amount appropriated for Phase V is \$100,000. This bonding requests is in the amount of \$50,000 and represents the County's 50% share of approved Capital Project WCC90 Technology Upgrade Off Campus. The state has approved funding on the remaining 50%.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2017	100,000	TECHNOLOGY UPGRADE OFF CAMPUS PH I
2018	100,000	TECHNOLOGY UPGRADE OFF CAMPUS PH II
2019	100,000	TECHNOLOGY UPGRADE OFF CAMPUS PH III
2020	100,000	TECHNOLOGY UPGRADE OFF CAMPUS PH IV
2021	100,000	TECHNOLOGY UPGRADE OFF CAMPUS PH V

Total Appropriation History:

500,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	98	50,000		0 TECHNOLOGY UPGRADE OFF CAMPUS 2017/18-2021/22
22	18	50,000		0 TECHNOLOGY UPGRADE OFF CAMPUS 2017/18-2021/22
23	36	50,000		0 TECHNOLOGY UPGRADE OFF CAMPUS
23	191	50,000		0 TECHNOLOGY UPGRADE OFF CAMPUS - PHASE IV

Total Financing History:

200,000

Recommended By:**Department of Planning**
MLLL**Date**
07-16-2024**Department of Public Works**
RJB4**Date**
07-17-2024**Budget Department**
DEV9**Date**
07-18-2024**Requesting Department**
DAGX**Date**
07-19-2024

430 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 21, 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
October 17, 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
October 17, 2024

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on October 22, 2024.



Malika Vanderberg, Clerk
Westchester County Board of Legislators

AYES:

Legislator	Jose Alvarado
Legislator	Nancy Barr
Legislator	Benjamin Boykin
Legislator	Terry Clements
Legislator	Margaret Cunzio
Legislator	Vedat Gashi
Legislator	David Imamura
Legislator	James Nolan
Legislator	Catherine Parker
Legislator	Erika Pierce
Legislator	Colin Smith
Legislator	Emiljana Ulaj
Legislator	Shanae Williams
Legislator	Jewel Williams-Johnson
Legislator	Tyrae Woodson-Samuels

ABSENT: Legislator Judah Holstein
Legislator David Tubiolo

The Bond Act was thereupon declared duly adopted.

APPROVED BY ~~THE~~ COUNTY EXECUTIVE

Date: 10-22-24

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 213 - 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 October 21, 2024, and approved by the County Executive on October 22, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 23rd day of October, 2024.

Malika Vanderberg

Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

