



Public Works & Transportation Meeting Agenda

Committee Chair: Erika Pierce

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Monday, October 7, 2024

10:00 AM

Committee Room

Joint with B&A and ITC

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/> This website also provides links to materials for all matters to be discussed at a given meeting.

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [2024-525](#) **CBA-BIT50-AMS & CGI Applications and RAC Upgrade**

AN ACT amending the 2024 County Capital Budget Appropriations for Capital Project BIT50 - AMS & CGI Applications and RAC Upgrade.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, INFORMATION TECHNOLOGY & CYBERSECURITY AND PUBLIC WORKS & TRANSPORTATION

Guests: Department of Information Technology
Chief Information Officer Marguerite Beirne
Deputy CIO Aji Palappillil
Director of Knowledge Management & Archives Chris Gratzel

2. [2024-526](#) **BOND ACT-BIT50-AMS & CGI Applications and RAC Upgrade**

A BOND ACT authorizing the issuance of SIX HUNDRED TWENTY-FIVE THOUSAND (\$625,000) DOLLARS in bonds of Westchester County to finance Capital Project BIT 50 - AMS & CGI Applications and RAC Upgrade.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, INFORMATION TECHNOLOGY & CYBERSECURITY AND PUBLIC WORKS & TRANSPORTATION

Guests: Department of Information Technology
Chief Information Officer Marguerite Beirne
Deputy CIO Aji Palappillil
Director of Knowledge Management & Archives Chris Gratzel

3. [2024-527](#) **CBA-BIT63-Declaration of Independence Protective Exhibit Encasement**

AN ACT amending the 2024 County Capital Budget Appropriations for Capital Project BIT63 - Declaration of Independence Protective Exhibit Encasement.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, INFORMATION TECHNOLOGY & CYBERSECURITY AND PUBLIC WORKS & TRANSPORTATION

Guests: Department of Information Technology
Chief Information Officer Marguerite Beirne
Deputy CIO Aji Palappillil
Director of Knowledge Management & Archives Chris Gratzel

4. [2024-528](#) **BOND ACT-BIT63-Declaration of Independence Protective Exhibit Encasement**

A BOND ACT authorizing the issuance of FIVE HUNDRED TWENTY-FIVE THOUSAND (\$525,000) DOLLARS in bonds of Westchester County to finance Capital Project BIT63 - Declaration of Independence Protective Exhibit Encasement.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, INFORMATION TECHNOLOGY & CYBERSECURITY AND PUBLIC WORKS & TRANSPORTATION

Guests: Department of Information Technology
Chief Information Officer Marguerite Beirne
Deputy CIO Aji Palappillil
Director of Knowledge Management & Archives Chris Gratzel

5. [2024-519](#) **BOND ACT(Amended)-SY028-Yonkers Joint Treatment
Plant-Evaluation of Plant Electric & Lighting Systems**

A BOND ACT (Amended) authorizing the issuance of an additional FOUR MILLION (\$4,000,000) DOLLARS, making the total amount SIX MILLION (\$6,000,000) DOLLARS, in bonds of Westchester County to finance Capital Project SY028 - Yonkers Joint Treatment Plant - Evaluation of Plant Electric & Lighting Systems.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND
PUBLIC WORKS & TRANSPORTATION**

Guests: Department of Environmental Facilities
First Deputy Commissioner Lou Vetrone
Deputy Commissioner Nat Federici
Environmental Project Director Jazmin Logan

6. [2024-529](#) **BOND ACT-SM023-Mamaroneck WRRF Headworks Rehabilitation**

A BOND ACT authorizing the issuance of FIVE HUNDRED THOUSAND (\$500,000) DOLLARS in bonds of Westchester County to finance Capital Project SM023 - Mamaroneck Wastewater Resource Recovery Facility (WRRF) Headworks Rehabilitation.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND
PUBLIC WORKS & TRANSPORTATION**

Guests: Department of Environmental Facilities
First Deputy Commissioner Lou Vetrone
Deputy Commissioner Nat Federici
Environmental Project Director Jazmin Logan

7. [2024-530](#) **BOND ACT-SOS31-Ossining WRRF Plant Wide Systems Upgrades**

A BOND ACT authorizing the issuance of FIVE HUNDRED THOUSAND (\$500,000) DOLLARS in bonds of Westchester County to finance Capital Project SOS31 - Ossining Wastewater Resource Recovery Facility (WRRF) Plant Wide Systems Upgrades.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND
PUBLIC WORKS & TRANSPORTATION**

Guests: Department of Environmental Facilities
First Deputy Commissioner Lou Vetrone
Deputy Commissioner Nat Federici
Environmental Project Director Jazmin Logan

8. [2024-531](#) **BOND ACT-SNR21-New Rochelle WRRF Boiler and Grit Systems Replacement**

A BOND ACT authorizing the issuance of THIRTEEN MILLION, TWO HUNDRED THOUSAND (\$13,200,000) DOLLARS in bonds of Westchester County to finance Capital Project SNR21 - New Rochelle Wastewater Resource Recovery Facility (WRRF) Boiler and Grit Systems Replacement.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Guests: Department of Environmental Facilities
First Deputy Commissioner Lou Vetrone
Deputy Commissioner Nat Federici
Environmental Project Director Jazmin Logan

9. [2024-532](#) **BOND ACT-BES24-Replacement of Smoke House Building**

A BOND ACT authorizing the issuance of TWO MILLION (\$2,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BES24 - Replacement of Smoke House Building.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Guests: Department of Emergency Services
Commissioner Richard Wishnie
Deputy Commissioner Susan Spear

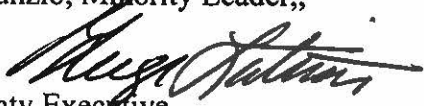
II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

September 27, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader,,

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **CBA & Bond Act – BIT50 – AMS & CGI Applications and RAC Upgrade.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 30, 2024 Agenda.

Transmitted herewith for your review and approval is an Act to amend the current-year capital budget (“Capital Budget Amendment”) as well as a related bond act (“Bond Act,”) which, if adopted, would authorize the County of Westchester (“County”) to issue up to \$625,000 in bonds of the County to finance the following capital project: BIT50.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 30, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
Westchester County Executive

September 23, 2024

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 to amend the current-year capital budget ("Capital Budget Amendment") as well as a related bond act ("Bond Act,") which, if adopted, would authorize the County of Westchester ("County") to issue up to \$625,000 in bonds of the County to finance the following capital project:

BIT50 - American Management Systems ("AMS")/Conseillers en Gestion et Informatique ("CGI") Applications and Linux Real Application Cluster ("RAC") Upgrade ("BIT50").

The proposed Capital Budget Amendment will amend the County's current-year capital budget to increase the County share for BIT50 by \$625,000. The current request will fund the cost of implementation services and related expenses to upgrade the County's Financial, Human Resources and Budget systems to the new version. In addition, the current request will also fund the purchase of data processing equipment and database software equipment.

The Bond Act, in the amount of \$625,000, would finance the purchase of additional storage/servers and related equipment software and implementing services needed by the Department of Information and Technology ("Department") to upgrade the Finance, Human Resources and Budget Departments.

The Department has advised that AMS/ CGI, which is the vendor for the County's Financial, Human Resource and Budget systems, informed the County that it is instituting a major systems renovation and will no longer support existing systems. BIT50 will fund the cost of the implementation services and related expenses for CGI/AMS to upgrade the County's systems to the new version and the purchase of data processing equipment and database software.

It should be noted that your Honorable Board has authorized the County to issue bonds in connection with prior components of BIT50 as indicated in the annexed fact sheet.

Office of the County Executive

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

Email: CE@westchestercountyny.gov
Telephone: (914) 995-2900

westchestergov.com

The purchase and implementation of additional storage/servers and related software equipment by the Department to upgrade the storage/servers and related database software equipment of the Finance, Human Resources and Budget Departments should be completed no later than September of 2025.

Based on the importance of this capital project to the County, favorable action on the annexed proposed Acts is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", written over the printed name.

George Latimer
Westchester County Executive

Attachments

**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 an act, which, if adopted, will amend the County's current-year capital budget ("Capital Budget Amendment"), as well as adoption of a related bond act ("Bond Act") in the amount of \$625,000 prepared by the law firm Harris Beach PLLC to finance capital project BIT50 - American Management Systems ("AMS")/Conseillers en Gestion et Informatique ("CGI") Applications and Linux Real Application Cluster ("RAC") Upgrade ("BIT50").

Your Committee is advised that the Capital Budget Amendment will amend the County's current-year capital budget to increase the County share for BIT50 by \$625,000. The Department of Information Technology ("Department") has advised your Committee that the current request will fund the cost of implementation services and related expenses to upgrade the County's Financial, Human Resources and Budget systems to the new version. In addition, the current request will also fund the purchase of data processing equipment and database software.

The Bond Act, in the amount of \$625,000, would finance the purchase of additional storage/servers and related equipment software and implementing services needed by the Department of Information and Technology ("Department") to upgrade the Finance, Human Resources and Budget Departments.

The Department has advised that AMS/ CGI, which is the vendor for the County's Financial, Human Resource and Budget systems, informed the County that it is instituting a major systems renovation and will no longer support existing systems. BIT50 will fund the cost of the implementation services and related expenses for CGI/AMS to upgrade the County's systems to the new version and the purchase of data processing equipment and database software.

The purchase and implementation of additional storage/servers and related software equipment by the Department to upgrade the storage/servers and related database software equipment of the Finance, Human Resources and Budget Departments should be completed no later than September of 2025.

It should be noted that your Honorable Board has authorized the County to issue bonds in connection with previous components of BIT50 as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, BIT50 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.

The Planning Department has advised your Committee that the Planning Board has previously reviewed BIT50 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 has carefully considered the proposed Capital Budget Amendment, as well as the related Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act may only be enacted following adoption of the Capital Budget Amendment. It should also be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County’s Capital Budget and to adopt the Bond Act.

Dated: _____, 2024
White Plains, New York

COMMITTEE ON

s: cmc/9-23-2024

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BIT50

☐ 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 \$ 625,000 PPU 10 Anticipated Interest Rate 2.53%

Anticipated Annual Cost (Principal and Interest): \$ 71,995

Total Debt Service (Annual Cost x Term): \$ 719,949

Finance Department: maab 9-27-24

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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 7

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 9/27/24

Reviewed By: 

Budget Director

Date: 9/27/24



Memorandum
Department of Planning

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: September 18, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BIT50 AMS/CGI APPLICATIONS AND LINUX RAC UPGRADE**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
09-03-2024 (Unique ID: 2674)

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/dvw

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
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

An Act amending the 2024 County
Capital Budget Appropriations for
Capital Project BIT50 AMS/CGI
APPLICATIONS AND LINUX RAC
UPGRADE

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The Capital section of the 2024 County Budget is hereby amended as follows:

	Previous 2024 Appropriation	Change	Revised 2024 Appropriation
I. Appropriation	\$8,035,000	\$625,000	\$8,660,000

Section 2. The estimated method of financing in the Capital Section of the 2024 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$8,035,000	\$625,000	\$8,660,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$8,035,000</u>	<u>\$625,000</u>	<u>\$8,660,000</u>

Section 3. The ACT shall take effect immediately.

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$625,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE ADDITIONAL COST OF THE ACQUISITION AND INSTALLATION OF HARDWARE AND SOFTWARE FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$625,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$625,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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, to the provisions of other laws applicable thereto, \$625,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the additional cost of the acquisition and installation of storage/servers and related equipment, software and implementation services for the Department of Information Technology; 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 \$625,000. The plan of financing includes the issuance of \$625,000 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 applicable to the objects or purposes for which the bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 81(a) 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 \$625,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. 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 5. 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 6. 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 7. 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__.

(SEAL) The Clerk and Chief Administrative Officer of the
County Board of Legislators
County of Westchester, New York

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 \$625,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE ADDITIONAL COST OF THE ACQUISITION AND INSTALLATION OF HARDWARE AND SOFTWARE FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$625,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$625,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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 acquisition and installation of storage/servers and related equipment, software and implementation services for the Department of Information Technology; 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: \$625,000; ten (10) 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:* BIT50	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 08-27-2024
Fact Sheet Year:* 2024	Project Title:* AMS/CGI APPLICATIONS AND LINUX RAC UPGRADE	Legislative District ID:
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* INFORMATION TECHNOLOGY	CP Unique ID: 2674

Overall Project Description

This project will fund the cost of the implementation services and related expenses to upgrade the County's Financial, HR and Budget systems to the new version. Also included is the purchase of data processing equipment and database software.

- | | | |
|--|--|---|
| <input 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	2025	2026	2027	2028	Under Review
Gross	8,660	8,035	0	0	0	0	0	625
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	8,660	8,035	0	0	0	0	0	625

Expended/Obligated Amount (in thousands) as of : 5,980

Current Bond Description: Current Bond Request will fund the purchase of additional storage/servers and related equipment, software and implementing services needed to upgrade the Finance, HR and Budget .

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	625,000
Cash:	0
Total:	\$ 625,000

SEQR Classification:

TYPE II

Amount Requested:

625,000

Expected Design Work Provider:

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

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2020	4,750,000	FUNDS THIS PROJECT
2022	250,000	ADDITIONAL FUNDING
2023	3,035,000	COST ESCALATION

Total Appropriation History:

8,035,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
20	40	4,750,000	3,922,063	COST OF ACQUISITION & INSTALLATION OF SERVERS, EQUIPMENT, SOFTWARE & IMPLEMENTATION FOR DOIT
23	179	2,535,000	0	AMS/CGI APPLICATIONS AND LINUX RAC UPGRADE
23	13	750,000	0	AMS/CGI APPLICATIONS AND LINUX RAC UPGRADE

Total Financing History:

8,035,000

Recommended By:**Department of Planning**

MLLL

Date

09-03-2024

Department of Public Works

RJB4

Date

09-03-2024

Budget Department

DEV9

Date

09-04-2024

Requesting Department

DDMK

Date

09-04-2024

AMS/CGI APPLICATIONS AND LINUX RAC UPGRADE (BIT50)

User Department : Information Technology

Managing Department(s) : Information Technology ;

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	2024	2025	2026	2027	2028	Under Review
Gross	8,035	8,035	5,980						
Non County Share									
Total	8,035	8,035	5,980						

Project Description

This project will fund the cost of the implementation services and related expenses to upgrade the County's Financial, HR and Budget systems to the new version. Also included is the purchase of data processing equipment and database software.

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
2020	4,750,000	Funds this project	IN PROGRESS
2022	250,000	Additional funding	IN PROGRESS
2023	3,035,000	Cost escalation	IN PROGRESS
Total	8,035,000		

Prior Appropriations


	Appropriated	Collected	Uncollected
Bond Proceeds	8,035,000	3,922,063	4,112,937
Total	8,035,000	3,922,063	4,112,937

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
40 20	4,750,000	12/01/21	254,000	3,920,890
		12/01/22	523,122	
		12/01/22	51,988	
13 23	750,000			750,000
179 23	2,535,000			2,535,000
Total	8,035,000		829,110	7,205,890

September 27, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **CBA & Bond Act – BIT63 – Declaration of Independence Protective Exhibit Encasement.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 30, 2024 Agenda.

Transmitted herewith for your review and approval is an Act to amend the current-year capital budget (“Capital Budget Amendment”), as well as a related bond act (“Bond Act,”) which, if adopted, would authorize the County of Westchester (“County”) to issue \$525,000 in bonds of the County to finance the following capital project: BIT63.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 30, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
Westchester County Executive

September 26, 2024

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 to amend the current-year capital budget ("Capital Budget Amendment"), as well as a related bond act ("Bond Act,") which, if adopted, would authorize the County of Westchester ("County") to issue \$525,000 in bonds of the County to finance the following capital project:

BIT63 – Declaration of Independence Protective Exhibit Encasement ("BIT63").

The proposed Capital Budget Amendment will amend the County's current-year capital budget to increase the County share for BIT63 by \$525,000 and to add this specific project to the program funded through BIT63.

The Bond Act, in the amount of \$525,000, would finance construction of a protective exhibit encasement to securely store and preserve a printed copy of the Declaration of Independence, dated July 9, 1776 which is currently housed at the Westchester County Archives and Records Center (the "Archives").

The Department of Information Technology ("Department") has advised that the County's printed copy of the Declaration of Independence came from a contemporaneous, historic printing of several hundred such copies by John Holt, which was the first printing of the Declaration of Independence in the State of New York, and which copies are commonly known and referred to as 'Holt Broadside'. The objective and goal of procuring this encasement is twofold. The proposed encasement will both, a.) preserve the document for future generations, and, b.) enable the County to safely provide for the display of the document at various locations throughout Westchester County. The encasement will be constructed by the National Institute of Standards and Technology ("NIST") in collaboration with staff from the National Archives in Washington, DC. NIST will design, successfully test, and produce a state-of-the-art encasement that will secure and optimally preserve the County's Holt Broadside. When not being used for displays elsewhere, the encasement will be stored in a vault within the Archives.

Design is expected to be completed by the first quarter of 2025. It is estimated that construction will take fourteen (14) months to complete and will begin after award and execution of construction contracts. The project estimated end date goal is currently set as completion and delivery by March 2026.

Section 167.131 of the Laws of Westchester County, 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. Accordingly, the Planning Board report for this project has been annexed.

Based on the importance of this project to the County, favorable action on the proposed Bond Act is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", written in a cursive style.

George Latimer
County Executive

GL/MB/cmc
Attachments

**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 an act, which, if adopted, will amend the County’s current-year capital budget (“Capital Budget Amendment”), as well as adoption of a related bond act (“Bond Act”) in the amount of \$525,000, to finance capital project BIT63 – Declaration of Independence Protective Exhibit Encasement (“BIT63”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s current-year capital budget to increase the County share for BIT63 by \$525,000 and to add this specific project to the program funded through BIT63.

The Bond Act, in the amount of \$525,000, which was prepared by the law firm of Harris Beach, PLLC, would finance the construction of a protective encasement to securely store and preserve a printed copy of the Declaration of Independence dated July 9, 1776, which is currently housed at the Westchester County Archives and Records Center (“Archives”).

The Department of Information Technology (“Department”) has advised that the County’s printed copy of the Declaration of Independence came from a contemporaneous, historic printing of several hundred such copies by John Holt, which was the first printing of the Declaration of Independence in the State of New York, and which copies are commonly known and referred to as ‘Holt Broadside’. The objective and goal of procuring this encasement is twofold. The proposed encasement will both, a.) preserve the document for future generations, and, b.) enable the County to safely provide for the display of the document at various locations throughout Westchester County. The encasement will be constructed by the National Institute of Standards and Technology (“NIST”) in collaboration with staff from the National Archives in Washington, DC. NIST will design, successfully test, and produce a state-of-the-art encasement that will secure and optimally preserve the County’s Holt Broadside. When not being used for displays elsewhere, the encasement will be stored in a vault within the Archives.

Your Committee is advised that design expected to be completed by the first quarter of 2025. It is estimated that construction will take fourteen (14) months to complete and will begin after award and execution of construction contracts. The project estimated end date goal is currently set as completion and delivery by March 2026.

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

Your Committee is further advised that Section 167.131 of the Laws of Westchester County, 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. Accordingly, the Planning Board report for this project has been annexed.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act may only be enacted following adoption of the Capital Budget Amendment. It should also be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County’s Capital Budget and to adopt the Bond Act.

Dated: _____, 2024
White Plains, New York

COMMITTEE ON

C:cmc/9-26-2024

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BIT63

☐ 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 \$ 525,000 PPU 5 Anticipated Interest Rate 2.36%

Anticipated Annual Cost (Principal and Interest): \$ 113,668

Total Debt Service (Annual Cost x Term): \$ 568,341

Finance Department: maab 9-27-24

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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 6

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget


Date: 9/27/24

Reviewed By: 

Budget Director

Date: 9/27/24

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: September 17, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BIT63 Declaration of Independence Mobile Exhibit Encasement**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
09-03-2024 (Unique ID: 2691)

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/dvw

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
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner



Memorandum

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Susan Darling, Chief Planner

Date: September 3, 2024

RE: **NO-ACTION MEMO - Capital Budget Amendment –BIT63 Declaration of Independence Mobile Exhibit Encasement (2024 CBA)**

The County Executive is requesting an amendment to the 2024 Capital Budget to modify the funding of the above project. Capital project **BIT63 Declaration of Independence Mobile Exhibit Encasement (2024 CBA)** will fund the construction of the mobile encasement needed to securely store and preserve an original copy of the Declaration of Independence being housed at the Records and Archive Center.

This project was classified as a PL1, *“a project approved in concept, subject to review when more detailed studies or plans are prepared”* in the 2025 Planning Board Report on the Capital Project Requests adopted August 6, 2024. The CBA is to move the funding requested for 2025 to the 2024 capital budget.

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: Blanca P. López, Commissioner
David S. Kvinge, Assistant Commissioner
Michael Lipkin, Associate Planner

An Act amending the 2024 County
Capital Budget Appropriations for
Capital Project BIT63 DECLARATION
OF INDEPENDENCE MOBILE EXHIBIT
ENCASEMENT

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The Capital section of the 2024 County Budget is hereby amended as follows:

	Previous 2024 Appropriation	Change	Revised 2024 Appropriation
I. Appropriation		\$525,000	\$525,000

Section 2. The estimated method of financing in the Capital Section of the 2024 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$0	\$525,000	\$525,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$0</u>	<u>\$525,000</u>	<u>\$525,000</u>

Section 3. The ACT shall take effect immediately.

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$525,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION AND INSTALLATION OF THE DECLARATION OF INDEPENDENCE MOBILE EXHIBIT ENCASEMENT FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$525,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$525,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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, to the provisions of other laws applicable thereto, \$525,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the acquisition and installation of the Declaration of Independence mobile exhibit encasement for the Department of

Information Technology; 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 \$525,000. The plan of financing includes the issuance of \$525,000 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 applicable to the objects or purposes for which the 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 \$525,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. 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 5. 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 6. 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 7. 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__.

(SEAL) The Clerk and Chief Administrative Officer of the
County Board of Legislators
County of Westchester, New York

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 \$525,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION AND INSTALLATION OF THE DECLARATION OF INDEPENDENCE MOBILE EXHIBIT ENCASEMENT FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$525,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$525,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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 acquisition and installation of the Declaration of Independence mobile exhibit encasement for the Department of Information Technology; 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: \$525,000; 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:* BIT63 Fact Sheet Year:* 2024 Category* BUILDINGS, LAND & MISCELLANEOUS	<input checked="" type="checkbox"/> CBA Project Title:* DECLARATION OF INDEPENDENCE MOBILE EXHIBIT ENCASEMENT Department:* INFORMATION TECHNOLOGY	Fact Sheet Date:* 08-30-2024 Legislative District ID: CP Unique ID: 2691
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Overall Project Description

The County of Westchester's original copy of the Declaration of Independence dated July 9, 1776, is currently housed at the Westchester County Archives. The objective and goal of manufacturing this encasement is twofold. To preserve the document for future generations as well as enable the County to safely display the document at various locations throughout the County. Its initial display is slated for July 2026, celebrating the 250th anniversary of Westchester's role in the Revolutionary War. It is believed that this particular copy, which is currently one of five in existence, was read aloud on the steps of the courthouse in White Plains. The encasement will be constructed by the National Institute of Standards and Technology (NIST) in collaboration with staff from the National Archives in Washington, DC. The main objective and final product of the collaboration between NIST and the County of Westchester is to design, successfully test, and produce a state-of-the-art encasement that secures and optimally preserves the Declaration of Independence. The case will be designed such that it can be hermetically sealed and filled with argon gas. It will be designed and based on the principle that it is a passive system. The encasement will be stored in a vault within the Westchester County Archives when not on display.

- | | | |
|---|--|---|
| <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 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	525	0	0	0	0	0	0	525
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	525	0	0	0	0	0	0	525

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

Current Bond Description: The current bonding will fund the construction of the mobile encasement needed to securely store and preserve an original copy of the Declaration of Independence being housed at the Records and Archive Center.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	525,000
Cash:	0
Total:	\$ 525,000

SEQR Classification:

TYPE II

Amount Requested:

525,000

Expected Design Work Provider:

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

Comments:

The 2024 Capital Budget Amendment request of \$525,000 is shown Under Review. This is advancing funds requested in 2025 with the May 1, 2024, capital submission of the 2025 – 2029 capital program. If the CBA is approved, the 2025 funds can be reduced accordingly.

Energy Efficiencies:

Total Financing History:

0

Recommended By:

Department of Planning

MLLL

Date

09-03-2024

Department of Public Works

RJB4

Date

09-03-2024

Budget Department

DEV9

Date

09-04-2024

Requesting Department


DDMK

Date

09-04-2024

September 26, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act (Amended) – SY028 – Yonkers Joint Treatment Plant – Evaluation of Plant Electric & Lighting Systems.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 30, 2024 Agenda.

Transmitted herewith for your review and approval is an amended bond act (the “Amended Bond Act”) which, if adopted, would authorize the County of Westchester (“County”) to issue an additional \$4,000,000 in bonds to finance the following capital project: SY028.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 30, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

Westchester County

George Latimer
County Executive

September 20, 2024

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 amended bond act (the "Amended Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue an additional \$4,000,000 in bonds to finance the following capital project:

SY028 – Yonkers Joint Treatment Plant – Evaluation of Plant Electric & Lighting Systems ("SY028").

The Amended Bond Act, in the total amount of \$6,000,000, which includes \$2,000,000 in previously authorized bonds of the County, would finance additional design and construction management services associated with the replacement of all electrical distribution system and lighting system equipment at the Yonkers Joint Treatment Plant, including, but not limited to, switchgears, substations, motor control centers, lighting, panels, and all associated wiring. The majority of this equipment was installed in the early 1970s during the Plant expansion and upgrade and is past its useful life.

Following bonding authorization, design will be scheduled and is anticipated to take approximately eighteen (18) months to complete and will be performed by consultants. Due to the necessary phasing of this project, it is estimated that construction will take between twenty-four (24) and thirty-six (36) months to complete and will begin after award and execution of the construction contracts, subject to further authorization of construction financing by your Honorable Board.

It should be noted that your Honorable Board has previously authorized bonding for SY028 as follows: Bond Act No. 61-2020 in the amount of \$2,000,000, which financed design and construction management costs associated with this project. No bonds have been issued under Bond Act No. 61-2020. Accordingly, authority is now requested to amend Bond Act No. 61-2020 to increase the initial amount authorized by \$4,000,000, from \$2,000,000 to \$6,000,000, in order to finance additional design services and construction management for this project.

Based on the importance of this project to the County, favorable action on the proposed Amended Bond Act is respectfully requested.

Sincerely,



George Latimer
Westchester County Executive

**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 an amended bond act (the “Amended Bond Act”) in the total amount of \$6,000,000, which includes \$2,000,000 in previously authorized bonds of the County, to finance capital project SY028 – Yonkers Joint Treatment Plant – Evaluation of Plant Electric & Lighting Systems (“SY028”).

The Amended Bond Act, which was prepared by the law firm Norton Rose Fulbright, will finance additional design and construction management services associated with the replacement of all electrical distribution system and lighting system equipment at the Yonkers Joint Treatment Plant, including, but not limited to, switchgears, substations, motor control centers, lighting, panels, and all associated wiring.

The Department of Environmental Facilities (“Department”) has advised that the majority of this equipment was installed in the early 1970s during the Plant expansion and upgrade and is past its useful life.

Following bonding authorization, design will be scheduled and is anticipated to take approximately eighteen (18) months to complete and will be performed by consultants. Due to the necessary phasing of this project, it is estimated that construction will take between twenty-four (24) and thirty-six (36) months to complete and will begin after award and execution of the construction contracts, subject to further authorization of construction financing by your Honorable Board.

It should be noted that your Honorable Board has previously authorized bonding in connection with SY028 as follows: Bond Act No. 61-2020 in the amount of \$2,000,000, which financed design and construction management costs associated with this project. No bonds have been issued under Bond Act No. 61-2020. Accordingly, authority is now requested to amend Bond Act No. 61-2020 to increase the initial amount authorized by \$4,000,000, from \$2,000,000 to \$6,000,000, in order to finance additional design services and construction management for this project.

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 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: _____, 2024
White Plains, New York

COMMITTEE ON

c/jpg/-08-29-2024

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SY028

☐ 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 \$ 6,000,000 PPU 5 Anticipated Interest Rate 2.36%

Anticipated Annual Cost (Principal and Interest): \$ 1,299,065

Total Debt Service (Annual Cost x Term): \$ 6,495,324

Finance Department: maab 9-18-24

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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 65

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 9/19/24


Reviewed By: 

DV 9/19/24
CO 9/20/24

Budget Director

Date: 9/20/24

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: September 17, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SY028 YONKERS JOINT TREATMENT PLANT-EVALUATION OF PLANT
ELECTRIC AND LIGHTING SYSTEMS**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
08-28-2024 (Unique ID: 2650)

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)(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. Funds for construction management will not be expended unless the Board of Legislators approves funding for construction of the project. Further environmental review will be conducted following completion of design and prior to Board approval of funding for construction.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Nat Federici, Deputy Commissioner, Dept. of Environmental Facilities
Dianne Vanadia, Associate Budget Director
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. _____ - 202__

BOND ACT DATED _____, 202__.

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING BOND ACT NO. 61-2020, TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$6,000,000, AN INCREASE OF \$4,000,000, TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS OF THE PROPOSED REPLACEMENT OF ALL ELECTRICAL DISTRIBUTION SYSTEM AND LIGHTING SYSTEM EQUIPMENT AT THE YONKERS JOINT TREATMENT PLANT FOR THE BENEFIT OF THE COUNTY'S SOUTH YONKERS, BRONX VALLEY, CENTRAL YONKERS, HUTCHINSON VALLEY, NORTH YONKERS, SAW MILL AND UPPER BRONX SANITARY SEWER DISTRICTS.

WHEREAS, pursuant to Bond Act No. 61-2020, dated April 14, 2020, the County Board of Legislators, previously authorized the issuance of \$2,000,000 bonds to pay the design and construction management costs of the proposed replacement of all electrical distribution system and lighting system equipment at the Yonkers Joint Treatment Plant, including switchgears, substations, motor control centers, lighting, panels, and all associated wiring, a class of objects or purposes, for the joint benefit of the County's South Yonkers, Bronx Valley, Central Yonkers, Hutchinson Valley, North Yonkers, Saw Mill and Upper Bronx Sanitary Sewer Districts; and

WHEREAS, no obligations have heretofore been issued under Bond Act 61-2020; and

WHEREAS, it has now been determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$6,000,000, an increase of \$4,000,000, and it is now desired to increase the amount of bonds authorized to \$6,000,000; and

WHEREAS, \$6,000,000 has been appropriated in the Capital Budget of the County for the aforesaid class of objects or purposes;

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 entire voting strength thereof), as follows:

Section (A): The bond act duly adopted by this Board entitled:

BOND ACT NO. 61-2020

A BOND ACT AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS OF THE PROPOSED REPLACEMENT OF ALL ELECTRICAL DISTRIBUTION SYSTEM AND LIGHTING SYSTEM EQUIPMENT AT THE YONKERS JOINT TREATMENT PLANT FOR THE BENEFIT OF THE COUNTY'S SOUTH YONKERS, BRONX VALLEY, CENTRAL YONKERS, HUTCHINSON VALLEY, NORTH YONKERS, SAW MILL AND UPPER BRONX SANITARY SEWER DISTRICTS.

is hereby amended to read as follows:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$6,000,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY DESIGN AND CONSTRUCTION MANAGEMENT COSTS OF THE PROPOSED REPLACEMENT OF ALL ELECTRICAL DISTRIBUTION SYSTEM AND LIGHTING SYSTEM EQUIPMENT AT THE YONKERS JOINT TREATMENT PLANT FOR THE BENEFIT OF THE COUNTY'S SOUTH YONKERS, BRONX VALLEY, CENTRAL YONKERS, HUTCHINSON VALLEY, NORTH YONKERS, SAW MILL AND UPPER BRONX SANITARY SEWER DISTRICTS.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York, by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For paying design and construction management costs of the proposed replacement of all electrical distribution system and lighting system equipment at the Yonkers Joint Treatment Plant, including switchgears, substations, motor control centers, lighting, panels, and associated wiring, a class of objects or purposes, for the joint benefit of the County's South Yonkers,

Bronx Valley, Central Yonkers, Hutchinson Valley, North Yonkers, Saw Mill and Upper Bronx Sanitary Sewer Districts, and including incidental expenses thereof, there are hereby authorized to be issued \$6,000,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid class of objects or purposes set forth in this act are inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$6,000,000, and that the plan for the financing thereof is by the issuance of the \$6,000,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years, pursuant to subdivision sixty-two of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County of Westchester, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the County's South Yonkers, Bronx Valley, Central Yonkers, Hutchinson Valley, North Yonkers, Saw Mill and Upper Bronx Sanitary Sewer Districts, as allocated by the County, or other sources, there shall

annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Westchester, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner

of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the Commissioner of Finance's sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of

Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this Bond Act 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

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no moneys are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

Section (B). The amendments 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 Bond Act shall take effect immediately upon approval by the County Executive.

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * *

APPROVED BY THE COUNTY EXECUTIVE

Date: _____, 2024

STATE OF NEW YORK)
) ss.:
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 _____,
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 said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

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 given to the following newspapers and/or other news
media as follows:

Newspaper and/or Other News Media

Date Given

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 Notices

Date of Posting

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

Clerk of the County Board of Legislators
of the County of Westchester, New York

(CORPORATE
SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2024 and approved by the County Executive on _____, 2024 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. _____-2024

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING BOND ACT NO. 61-2020, TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$6,000,000 (AN INCREASE OF \$4,000,000) TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS OF THE PROPOSED REPLACEMENT OF ALL ELECTRICAL DISTRIBUTION SYSTEM AND LIGHTING SYSTEM EQUIPMENT AT THE YONKERS JOINT TREATMENT PLANT FOR THE BENEFIT OF THE COUNTY'S SOUTH YONKERS, BRONX VALLEY, CENTRAL YONKERS, HUTCHINSON VALLEY, NORTH YONKERS, SAW MILL AND UPPER BRONX SANITARY SEWER DISTRICTS.

object or purpose:

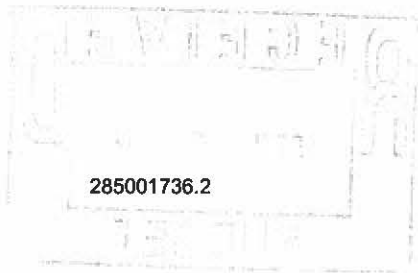
financing design and construction management costs of the proposed replacement of all electrical distribution system and lighting system equipment at the Yonkers Joint Treatment Plant, including switchgears, substations, motor control centers, lighting, panels, and all associated wiring, a class of objects or purposes, for the joint benefit of the County's South Yonkers, Bronx Valley, Central Yonkers, Hutchinson Valley, North Yonkers, Saw Mill and Upper Bronx Sanitary Sewer Districts

period of probable usefulness: five (5) years

amount of obligations to be issued: \$6,000,000

Dated: _____, 2024
White Plains, New York

Clerk of the County Board of Legislators of the County of Westchester, New York



285001736.2

CAPITAL PROJECT FACT SHEET

Project ID:* SY028	<input type="checkbox"/> CBA	Fact Sheet Date:* 08-23-2024
Fact Sheet Year:* 2024	Project Title:* YONKERS JOINT TREATMENT PLANT-EVALUATION OF PLANT ELECTRIC AND LIGHTING SYSTEMS	Legislative District ID: 2, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 5, 3,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 2650

Overall Project Description

This project will evaluate the condition and useful life of all major components of the plant electrical system as well as exterior and interior plant lighting. Electrical system evaluation should include a coordinated study which should document deficiencies and update one line diagrams for any equipment not addressed in other Capital Projects. Report should focus on, but not be limited to, Switchgears, Motor Control Centers and Main Feed lines with recommendations sufficiently detailed to allow the department to allocate funding for design and implementation in a phased manner. Plant lighting component of this evaluation should assess the condition and useful life of all interior and exterior plant lighting with the emphasis on Roadway lighting, tank deck lighting, interior building lighting and ground fault protection system. Recommendations for upgrades and replacements will be adequately detailed and implementation will be performed through a phased approach.

- | | | |
|---|---|--|
| <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	2024	2025	2026	2027	2028	Under Review
Gross	45,200	25,200	0	0	15,000	0	5,000	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	45,200	25,200	0	0	15,000	0	5,000	0

Expended/Obligated Amount (in thousands) as of : 2,110

Current Bond Description: Bonding authorization is requested for additional design services and construction management for the Yonkers Joint Plant Electrical & Lighting Systems Upgrade.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	4,000,000
Cash:	0
Total:	\$ 4,000,000

SEQR Classification:

TYPE II

Amount Requested:

4,000,000

Expected Design Work Provider:

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

Comments:

Energy Efficiencies:

NEW MORE ENERGY EFFICIENT EQUIPMENT WILL REPLACE EXISTING SYSTEMS.

Appropriation History:

Year	Amount	Description
2009	200,000	STUDY AND EVALUATION OF MAJOR ELECTRICAL COMPONENTS
2020	2,000,000	STUDY AND PRELIMINARY DESIGN
2023	23,000,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT

Total Appropriation History:

25,200,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
16	162	200,000		0 YONKERS JOINT TREATMENT PLANT - EVALUATION OF PLANT ELECTRIC AND LIGHTING SYSTEMS
20	61	2,000,000		0 COST OF DESIGN AND CONSTRUCTION OF ELECTRIC & LIGHTING SYSTEMS OF YONKERS JOINT TREATMENT PLANT

Total Financing History:

2,200,000

Recommended By:

Department of Planning
MLLL

Date
08-28-2024

Department of Public Works
RJB4

Date
08-28-2024

Budget Department
DEV9

Date
08-29-2024

Requesting Department
NJF9

Date
08-29-2024

YONKERS JOINT TREATMENT PLANT-EVALUATION OF PLANT ELECTRIC AND LIGHTING SYSTEMS (SY028)

User Department : Environmental Facilities
Managing Department(s) : Environmental Facilities ; 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	2024	2025	2026	2027	2028	Under Review
Gross	45,200	25,200	2,110			15,000		5,000	
Non County Share									
Total	45,200	25,200	2,110			15,000		5,000	

Project Description

This project will evaluate the condition and useful life of all major components of the plant electrical system as well as exterior and interior plant lighting. Electrical system evaluation should include a coordinated study which should document deficiencies and update one line diagrams for any equipment not addressed in other Capital Projects. Report should focus on, but not be limited to, Switchgears, Motor Control Centers and Main Feed lines with recommendations sufficiently detailed to allow the department to allocate funding for design and implementation in a phased manner. Plant lighting component of this evaluation should assess the condition and useful life of all interior and exterior plant lighting with the emphasis on Roadway lighting, tank deck lighting, interior building lighting and ground fault protection system. Recommendations for upgrades and replacements will be adequately detailed and implementation will be performed through a phased approach.

Current Year Description

There is no current year request.

Impact on Operating Budget

The impact on the District Budget is the debt service associated with the issuance of bonds. The outcome of the study may lead to future capital projects as well.

Appropriation History

Year	Amount	Description	Status
2009	200,000	Study and evaluation of major electrical components	COMPLETE
2020	2,000,000	Study and preliminary design	DESIGN
2023	23,000,000	Design, construction and construction management	AWAITING BOND AUTHORIZATION
Total	25,200,000		

Prior Appropriations

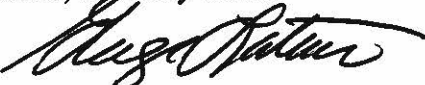
	Appropriated	Collected	Uncollected
Bond Proceeds	25,200,000		25,200,000
Total	25,200,000		25,200,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
162 16	200,000			200,000
61 20	2,000,000			2,000,000
Total	2,200,000			2,200,000

September 26, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act – SM023 –
Mamaroneck WRRF Headworks Rehabilitation.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 30, 2024 Agenda.

Transmitted herewith for your review and approval is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue \$500,000 in bonds to finance the following capital project: SM023.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 30, 2024 "blue sheet" calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

September 20, 2024

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 a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue \$500,000 in bonds to finance the following capital project:

SM023 – Mamaroneck WRRF Headworks Rehabilitation ("SM023").

The Bond Act, in the amount of \$500,000, would finance a study which will include a state of good repair assessment of the Mamaroneck Wastewater Resource Recovery Facility Headwork process equipment. The study will include evaluating all mechanical, HVAC, plumbing, instrumentation, electrical, architectural, and structural systems and appurtenances. The project will also include the study and implementation of flood and resiliency measures such as an evaluation of the existing influent piping and gravity gates in order to implement an emergency outfall and/or headworks bypass system through original plant outfall.

Following bonding authorization, the study will be scheduled and is anticipated to take approximately eighteen (18) months to complete and will be performed by consultants.

Based on the importance of this project to the County, favorable action on the proposed Bond Act is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", written over a blue horizontal line.

George Latimer
Westchester County Executive

GL/VK/CG/jpg

**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 \$500,000 which would authorize the County of Westchester (“County”) to finance capital project SM023 – Mamaroneck WRRF Headworks Rehabilitation (“SM023”).

The Bond Act, which was prepared by the law firm Norton Rose Fulbright, will finance a study which will include a state of good repair assessment of the Mamaroneck Wastewater Resource Recovery Facility Headwork process equipment. The study will include evaluating all mechanical, HVAC, plumbing, instrumentation, electrical, architectural, and structural systems and appurtenances. The project will also include the study and implementation of flood and resiliency measures such as an evaluation of the existing influent piping and gravity gates in order to implement an emergency outfall and/or headworks bypass system through original plant outfall.

Following bonding authorization, the study will be scheduled and is anticipated to take approximately eighteen (18) months to complete and will be performed by consultants.

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 your Honorable Board is required in order to adopt the Bond Act. Your Committee recommends the adoption of the proposed Bond Act.

Dated: _____, 2024
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SM023

☐ 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 \$ 500,000 PPU 5 Anticipated Interest Rate 2.36%

Anticipated Annual Cost (Principal and Interest): \$ 108,255

Total Debt Service (Annual Cost x Term): \$ 541,277

Finance Department: maab 9-19-24

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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 5

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget


Date: 9/24/24

Reviewed By: 

Date: 9/24/24

Budget Director

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: September 17, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SM023 MAMARONECK WRRF HEADWORKS REHABILITATION**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 08-28-2024 (Unique ID: 2677)

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)(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 study should use the preliminary base flood elevation maps and the sea level rise models in accordance with the NYS Community Risk and Resiliency Act and Climate Leadership and Community Protection Act.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Nat Federici, Deputy Commissioner, Dept. of Environmental Facilities
Dianne Vanadia, Associate Budget Director
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. _____ - 2024

BOND ACT DATED _____, 2024.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COST OF A STUDY TO EVALUATE VARIOUS SYSTEMS AND EQUIPMENT AT THE MAMARONECK WATER RESOURCE RECOVERY FACILITY.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of the cost of such capital project;
NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York, by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For paying the cost of a study to evaluate various systems and equipment, including mechanical, HVAC, plumbing, instrumentation, electrical, architectural, and structural systems and appurtenances, at the Mamaroneck Water Resource Recovery Facility, and including incidental expenses in connection therewith, a specific object or purpose, there are hereby authorized to be issued \$500,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid specific object or purpose set forth in this act are inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$500,000, and that the plan for the financing thereof is by the issuance of the \$500,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision sixty-two of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County of Westchester, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the Mamaroneck Sanitary Sewer District, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Westchester, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall

advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be

prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at his or her sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and,

accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this Bond Act 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
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no moneys are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * *

APPROVED BY THE COUNTY EXECUTIVE

Date: _____, 2024

STATE OF NEW YORK)
) ss.:
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 _____, 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 said meeting was (i) open to the general public pursuant to Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the Public Officers Law.

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 given to the following newspapers and/or other news media as follows:

Newspaper and/or Other News Media

Date Given

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

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

Clerk of the County Board of Legislators
of the County of Westchester, New York

(CORPORATE
SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2024 and approved by the County Executive on _____, 2024 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. _____-2024

A BOND ACT AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COST OF A STUDY TO EVALUATE VARIOUS SYSTEMS AND EQUIPMENT AT THE MAMARONECK WATER RESOURCE RECOVERY FACILITY.

objects or purposes: financing a study to evaluate various systems and equipment, including mechanical, HVAC, plumbing, instrumentation, electrical, architectural, and structural systems and appurtenances, at the Mamaroneck Water Resource Recovery Facility, and including incidental expenses in connection therewith

period of probable usefulness: five years

amount of obligations to be issued: \$500,000

Dated: _____, 2024
White Plains, New York

Clerk of the County Board of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:* SM023	<input type="checkbox"/> CBA	Fact Sheet Date:* 08-27-2024
Fact Sheet Year:* 2024	Project Title:* MAMARONECK WRRF HEADWORKS REHABILITATION	Legislative District ID: 3, 7, 6, 5,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 2677

Overall Project Description

This project funds the rehabilitation of facility headworks including upgrades to all mechanical, HVAC, plumbing, instrumentation, electrical, architectural, and structural systems and appurtenances. The project will also include the study and implementation of flood and resiliency measures such as an evaluation of the existing influent piping and gravity gates in order to implement an emergency outfall and/or headworks bypass system thru original plant outfall.

- | | | |
|---|---|--|
| <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	2024	2025	2026	2027	2028	Under Review
Gross	18,500	0	500	0	3,000	0	15,000	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	18,500	0	500	0	3,000	0	15,000	0

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

Current Bond Description: Bonding is requested to provide funding for a study which will include a state of good repair assessment of the Mamaroneck WRRF Headwork process equipment. The study will include evaluating all mechanical, HVAC, plumbing, instrumentation, electrical, architectural, and structural systems and appurtenances. The project will also include the study and implementation of flood and resiliency measures such as an evaluation of the existing influent piping and gravity gates in order to implement an emergency outfall and/or headworks bypass system thru original plant outfall.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	500,000
Cash:	0
Total:	\$ 500,000

SEQR Classification:

TYPE II

Amount Requested:

500,000

Expected Design Work Provider:

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

Comments:

Energy Efficiencies:

THE STUDY WILL INCLUDE PROVIDING FOR ENERGY EFFICIENCIES WHEREVER APPROPRIATE.

Appropriation History:

Year	Amount	Description
2024	500,000	FUNDS STUDY

Total Appropriation History:

500,000

Total Financing History:

0

Recommended By:**Department of Planning**

MLLL

Date

08-28-2024

Department of Public Works

RJB4

Date

08-28-2024

Budget Department

DEV9

Date

08-29-2024

Requesting Department

NJF9

Date

08-29-2024

MAMARONECK WRRF HEADWORKS REHABILITATION (SM023)

User Department : Environmental Facilities

Managing Department(s) : Environmental Facilities ; Public Works ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project has historical implications. 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	18,500			500		3,000		15,000	
Non County Share									
Total	18,500			500		3,000		15,000	

Project Description

This project funds the rehabilitation of facility headworks including upgrades to all mechanical, HVAC, plumbing, instrumentation, electrical, architectural, and structural systems and appurtenances. The project will also include the study and implementation of flood and resiliency measures such as an evaluation of the existing influent piping and gravity gates in order to implement an emergency outfall and/or headworks bypass system thru original plant outfall.

Current Year Description

The current year request funds study.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2024	500,000			500,000

Impact on Operating Budget

The impact on the District Operating Budget is the debt service associated with the issuance of bonds.

September 26, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act – SOS31 –
Ossining WRRF Plant Wide Systems Upgrades.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 30, 2024 Agenda.

Transmitted herewith for your review and approval is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue \$500,000 in bonds to finance the following capital project: SOS31.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 30, 2024 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

Westchester County

George Latimer
County Executive

September 20, 2024

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 a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue \$500,000 in bonds to finance the following capital project:

SOS31 – Ossining WRRF Plant Wide Systems Upgrades ("SOS31").

The Bond Act, in the amount of \$500,000, would finance a study that will include the development of a Facility Plan for the Ossining Wastewater Resource Recovery Facility. The study will assess the various state of good repair for all equipment and systems and determine a Facility Master Plan with timelines for repair and/or replacement. The plan will also assess the latest conformance to the FEMA flood elevation and recommend appropriate resiliency measures.

Following bonding authorization, the study will be scheduled and is anticipated to take approximately eighteen (18) months to complete and will be performed by consultants.

Based on the importance of this project to the County, favorable action on the proposed Bond Act is respectfully requested.

Sincerely,



George Latimer
Westchester County Executive

GL/VK/NF/jpg

**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 \$500,000 which would authorize the County of Westchester (“County”) to finance capital project SOS31 – Ossining WRRF Plant Wide Systems Upgrades (“SOS31”).

The Bond Act, which was prepared by the law firm Norton Rose Fulbright, will finance a study that will include the development of a Facility Plan for the Ossining Wastewater Resource Recovery Facility. The study will assess the various state of good repair for all equipment and systems and determine a Facility Master Plan with timelines for repair and/or replacement. The plan will also assess the latest conformance to the FEMA flood elevation and recommend appropriate resiliency measures.

Following bonding authorization, the study will be scheduled and is anticipated to take approximately eighteen (18) months to complete and will be performed by consultants.

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 your Honorable Board is required in order to adopt the Bond Act. Your Committee recommends the adoption of the proposed Bond Act.

Dated: _____, 2024
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SOS31

☐ 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 \$ 500,000 PPU 5 Anticipated Interest Rate 2.36%

Anticipated Annual Cost (Principal and Interest): \$ 108,255

Total Debt Service (Annual Cost x Term): \$ 541,277

Finance Department: maab 9-24-24

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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 5

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 9/24/24

Reviewed By: 


*AVA/bul24
9/25/24*

Date:

Budget Director

9/26/24

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: September 17, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SOS31 OSSINING WRRF PLANT WIDE SYSTEMS UPGRADES**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 08-28-2024 (Unique ID: 2676)

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)(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 study should use the preliminary base flood elevation maps and the sea level rise models in accordance with the NYS Community Risk and Resiliency Act and Climate Leadership and Community Protection Act.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Nat Federici, Deputy Commissioner, Dept. of Environmental Facilities
Dianne Vanadia, Associate Budget Director
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. _____ - 2024

BOND ACT DATED _____, 2024

A BOND ACT AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COST OF A STUDY AND THE DEVELOPMENT OF A FACILITY MASTER PLAN FOR THE OSSINING WASTEWATER RESOURCE RECOVERY FACILITY.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of the cost of such capital project;
NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York, by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For paying the cost of a study to evaluate upgrades to equipment and systems of the Ossining Wastewater Resource Recovery Facility and the development of a Facility Master Plan, including incidental expenses in connection therewith, a specific object or purpose, there are hereby authorized to be issued \$500,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid specific object or purpose set forth in this act are inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$500,000, and that the plan for the financing thereof is by the issuance of the \$500,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision sixty-two of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County of Westchester, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the Ossining Sanitary Sewer District, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Westchester, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall

advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be

prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at his or her sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and,

accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this Bond Act 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
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no moneys are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * *

APPROVED BY THE COUNTY EXECUTIVE

Date: _____, 2024

STATE OF NEW YORK)
) ss.:
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 _____, 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 said meeting was (i) open to the general public pursuant to Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the Public Officers Law.

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 given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

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

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

Clerk of the County Board of Legislators
of the County of Westchester, New York

(CORPORATE
SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2024 and approved by the County Executive on _____, 2024 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. _____-2024

A BOND ACT AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY FOR A STUDY AND THE DEVELOPMENT OF A FACILITY MASTER PLAN FOR THE OSSINING WASTEWATER RESOURCE RECOVERY FACILITY.

objects or purposes: financing a study to evaluate upgrades to equipment and systems of the Ossining Wastewater Resource Recovery Facility and the development of a Facility Master Plan, including incidental expenses in connection therewith

period of probable usefulness: five years

amount of obligations to be issued: \$500,000

Dated: _____, 2024
White Plains, New York

Clerk of the County Board of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:* SOS31	<input type="checkbox"/> CBA	Fact Sheet Date:* 08-27-2024
Fact Sheet Year:* 2024	Project Title:* OSSINING WRRF PLANT WIDE SYSTEMS UPGRADES	Legislative District ID: 3, 10, 4,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 2676

Overall Project Description

This project updates various areas of the Ossining Wastewater Resource Recovery Facility including headworks, sludge thickening and storage facilities, aeration tanks, life safety, and other infrastructure updates such as security, communications, and emergency chemical feed systems, as well as maintenance shop rehabilitation and tunnel piping painting.

- | | | |
|---|---|--|
| <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	2024	2025	2026	2027	2028	Under Review
Gross	53,200	0	500	0	2,700	0	50,000	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	53,200	0	500	0	2,700	0	50,000	0

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

Current Bond Description: Bonding is requested to provide funding for a study that will include the development of a Facility Plan for the Ossining Wastewater Resource Recovery Facility. The study will assess the various state of good repair for all equipment and systems and determine a Facility Master Plan with timelines for repair and/or replacement. The plan will also assess the latest conformance to the FEMA flood elevation and recommend appropriate resiliency measures.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	500,000
Cash:	0
Total:	\$ 500,000

SEQR Classification:

TYPE II

Amount Requested:

500,000

Expected Design Work Provider:

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

Comments:

Energy Efficiencies:

THE FACILITY PLAN WILL INCLUDE ENERGY EFFICIENT STRATEGIES WHERE APPROPRIATE, SUCH AS REPLACEMENT WITH HIGHER EFFICIENCY EQUIPMENT (PROCESS BLOWERS, FACILITY LIGHTING, HVAC FANS, AND ELECTRICAL MOTORS).

Appropriation History:

Year	Amount	Description
2024	500,000	FUNDS STUDY WHICH WILL INCLUDE EVALATING THE ADDITION OF NEW TREATMENT SYTEMS

Total Appropriation History:

500,000

Total Financing History:

0

Recommended By:**Department of Planning**

MLLL

Date

08-28-2024

Department of Public Works

RJB4

Date

08-28-2024

Budget Department

DEV9

Date

08-29-2024

Requesting Department

NJF9

Date

08-29-2024

OSSINING WRRF PLANT WIDE SYSTEMS UPGRADES (SOS31)

User Department : Environmental Facilities

Managing Department(s) : Environmental Facilities ;

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	53,200			500		2,700		50,000	
Non County Share									
Total	53,200			500		2,700		50,000	

Project Description

This project updates various areas of the Ossining Water Resource Recovery Facility including headworks, sludge thickening and storage facilities, aeration tanks, and other infrastructure updates such as security, communications, and emergency chemical feed systems, as well as maintenance shop rehabilitation and tunnel piping painting.

Current Year Description

The current year request provides study funds which will include evaluating the addition of new treatment systems.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2024	500,000			500,000

Impact on Operating Budget

The impact on the District Operating Budget is the debt service associated with the issuance of bonds.

September 26, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act – SNR21 –
New Rochelle WRRF Boiler and Grit Systems Replacement.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 30, 2024 Agenda.

Transmitted herewith for your review and approval is a bond act (“Bond Act”) which, if adopted, would authorize the County of Westchester (“County”) to issue \$13,200,000 in bonds to finance the following capital project: SNR21.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 30, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

September 20, 2024

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 a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue \$13,200,000 in bonds to finance the following capital project:

SNR21 – New Rochelle WRRF Boiler and Grit Systems Replacement ("SNR21").

The Bond Act, in the amount of \$13,200,000, would finance the cost of construction associated with the replacement of the grit collection system, installation of additional boilers to handle the increased heat load demand created by the upgrade of the entire New Rochelle Wastewater Resource Recovery Facility, replacement of the building management system, and replacement of the sludge cake pumps at the dewatering facility.

Following bonding authorization, design will be scheduled and is estimated to take approximately eighteen (18) months to complete and will be performed by an outside consultant. Construction is estimated to take approximately thirty (30) months to complete and will begin after award and execution of construction contracts.

Based on the importance of this project to the County, favorable action on the proposed Bond Act is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", written over a horizontal line.

George Latimer
Westchester County Executive

GL/VK/NF/jpg

**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 \$13,200,000 which would authorize the County of Westchester (“County”) to finance capital project SNR21 – New Rochelle WRRF Boiler and Grit Systems Replacement (“SNR21”).

The Bond Act, which was prepared by the law firm Norton Rose Fulbright, will finance the cost of construction associated with the replacement of the grit collection system, installation of additional boilers to handle the increased heat load demand created by the upgrade of the entire New Rochelle Wastewater Resource Recovery Facility, replacement of the building management system, and replacement of the sludge cake pumps at the dewatering facility.

Following bonding authorization, design will be scheduled and is estimated to take approximately eighteen (18) months to complete and will be performed by an outside consultant. Construction is estimated to take approximately thirty (30) months to complete and will begin after award and execution of 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 your Honorable Board is required in order to adopt the Bond Act. Your Committee recommends the adoption of the proposed Bond Act.

Dated: _____, 2024
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SNR21

☐ 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 \$ 13,200,000 PPU 30 Anticipated Interest Rate 3.32%

Anticipated Annual Cost (Principal and Interest): \$ 673,960

Total Debt Service (Annual Cost x Term): \$ 20,218,801

Finance Department: maab 9-19-24

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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 143

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget


Date: 9/24/24

Reviewed By: 

Date: 9/26/24

Budget Director

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: September 17, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SNR21 New Rochelle WRRF Boiler And Grit Systems Replacement**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
08-29-2024 (Unique ID: 2641)

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)(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.

COMMENTS: None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Nat Federici, Deputy Commissioner, Dept. of Environmental Facilities
Dianne Vanadia, Associate Budget Director
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. _____ - 2024

BOND ACT DATED _____, 2024.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$13,200,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COST OF DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION OF VARIOUS IMPROVEMENTS TO THE NEW ROCHELLE WATER RESOURCE RECOVERY FACILITY, INCLUDING REPLACEMENT OF THE GRIT COLLECTION SYSTEM AND INSTALLATION OF ADDITIONAL BOILERS, IN AND FOR THE COUNTY'S NEW ROCHELLE SANITARY SEWER DISTRICT.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of the cost of such capital project;
NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York (the "County"), by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For paying the cost of design, construction management, and construction of various improvements to the New Rochelle Wastewater Resource Recovery Facility, including replacement of the grit collection system, the building management system, and the sludge cake pumps, installation of additional boilers, and any incidental expenses in connection therewith, a class of objects or purposes, there are hereby authorized to be issued \$13,200,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid class of objects or purposes set forth in this Bond Act are inconsistent with

any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$13,200,000, and that the plan for the financing thereof is by the issuance of the \$13,200,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years, pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the County's New Rochelle Sanitary Sewer District, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County by the manual or facsimile signature of the Commissioner of Finance and a facsimile

of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the sole discretion of the Commissioner of Finance, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be

determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this Bond Act 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

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said

County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * *

APPROVED BY THE COUNTY EXECUTIVE

Date: _____, 2024

STATE OF NEW YORK)
) ss.:
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 _____, 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 said meeting was (i) open to the general public pursuant to Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the Public Officers Law.

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 given to the following newspapers and/or other news media as follows:

Newspaper and/or Other News Media

Date Given

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

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

Clerk of the County Board of Legislators
of the County of Westchester, New York

(CORPORATE
SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2024 and approved by the County Executive on _____, 2024 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 for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-2024

A BOND ACT AUTHORIZING THE ISSUANCE OF \$13,200,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COST OF DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION OF VARIOUS IMPROVEMENTS TO THE NEW ROCHELLE WATER RESOURCE RECOVERY FACILITY, INCLUDING REPLACEMENT OF THE GRIT COLLECTION SYSTEM AND INSTALLATION OF ADDITIONAL BOILERS, IN AND FOR THE COUNTY'S NEW ROCHELLE SANITARY SEWER DISTRICT.

class of objects or purposes	financing the cost of design, construction management, and construction of various improvements to the New Rochelle Wastewater Resource Recovery Facility, including replacement of the grit collection system, the building management system, and the sludge cake pumps, installation of additional boilers, and any incidental expenses in connection therewith
------------------------------	--

period of probable usefulness:	thirty years
--------------------------------	--------------

amount of obligations to be issued:	\$13,200,000
-------------------------------------	--------------

Dated: _____, 2024
White Plains, New York

Clerk of the County Board of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:* SNR21	<input type="checkbox"/> CBA	Fact Sheet Date:* 08-23-2024
Fact Sheet Year:* 2024	Project Title:* NEW ROCHELLE WRRF BOILER AND GRIT SYSTEMS REPLACEMENT	Legislative District ID: 7, 11, 10,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 2641

Overall Project Description

This project includes the replacement of the grit collection system, installation of additional boilers to handle the increased heat load demand created by the upgrade of the entire New Rochelle WRRF, replacement of the building management system, and replacement of the sludge cake pumps at the dewatering facility.

- | | | |
|---|---|--|
| <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	2024	2025	2026	2027	2028	Under Review
Gross	13,200	10,000	3,200	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	13,200	10,000	3,200	0	0	0	0	0

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

Current Bond Description: Funding is requested for construction, which includes: the replacement of the grit collection system, installation of additional boilers to handle the increased heat load demand created by the upgrade of the entire New Rochelle WRRF, replacement of the building management system, and replacement of the sludge cake pumps at the dewatering facility.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	13,200,000
Cash:	0
Total:	\$ 13,200,000

SEQR Classification:

TYPE II

Amount Requested:

13,200,000

Expected Design Work Provider:

- ☐ County Staff
 ☒ Consultant
 ☐ Not Applicable

Comments:

Energy Efficiencies:

REPLACEMENT OF EXISTING BOILERS WITH MORE ENERGY EFFICIENT BOILERS.

Appropriation History:

Year	Amount	Description
2023	10,000,000	CONSTRUCTION
2024	3,200,000	COST ESCALATION

Total Appropriation History:

13,200,000

Total Financing History:
0

Recommended By:

Department of Planning
MLLL

Date
08-29-2024

Department of Public Works
RJB4

Date
08-29-2024

Budget Department
DEV9

Date
08-29-2024

Requesting Department
NJF9

Date
08-29-2024

NEW ROCHELLE WRRF BOILER AND GRIT SYSTEMS REPLACEMENT (SNR21)

User Department : Environmental Facilities

Managing Department(s) : Environmental Facilities ;

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	13,200	10,000		3,200					
Non County Share									
Total	13,200	10,000		3,200					

Project Description

This project includes the replacement of the grit collection system, installation of additional boilers to handle the increased heat load demand created by the upgrade of the entire New Rochelle WRRF, replacement of the building management system, and replacement of the sludge cake pumps at the dewatering facility.

Current Year Description

The current year request funds a construction cost escalation.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2024	3,200,000			3,200,000

Impact on Operating Budget

The impact on the District Operating Budget is the debt service associated with the issuance of bonds.

Appropriation History


Year	Amount	Description	Status
2023	10,000,000	Construction	AWAITING BOND AUTHORIZATION
Total	10,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	10,000,000		10,000,000
Total	10,000,000		10,000,000

September 26, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act – BES24 –
Replacement of Smoke House Building.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 30, 2024 Agenda.

Transmitted herewith for your review and approval is a bond act (the “Bond Act”) which, if adopted, would authorize the County of Westchester (“County”) to issue an additional \$2,000,000 in bonds to finance the following capital project: BES24.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 30, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

September 20, 2024

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is a bond act (the "Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue an additional \$2,000,000 in bonds to finance the following capital project:

BES24 - Replacement of Smoke House Building ("BES24").

The Bond Act, in the amount of \$2,000,000, would finance the purchase of a new pre-fabricated smoke house fire prop building, associated design during construction, and any additional site work needed.

The Department of Emergency Services ("DES") has advised that the existing smoke house is over 45 years old and has had several large repairs during its life. The repairs are failing due to the building's age and the repeated exposure to the temperature extremes of live fire, its rapid extinguishment and high pressure impacts resulting from the use of fire hoses during each training evolution. This has resulted in building deterioration and fatigue. Surrounding paved surfaces are exhibiting similar damage from the same wear and tear conditions noted to the building itself.

Moreover, the National Fire Protection Agency (NFPA) has Standards (NFPA 1402 Standards for Fire Training and Associated Props) to ensure structural fitness and safety for LIVE burn buildings. The existing smoke house has been inspected by engineers who recommend the building be replaced and not renovated again.

DES has advised that design is complete. Following bonding authorization, construction will be scheduled and is estimated to take fourteen (14) months to complete and will begin after award and execution of the construction contracts.

Your Honorable Board has previously authorized the County to issues bonds for a prior component of BES24 as follows: Bond Act No. 172-2023 in the amount of \$810,000, which funded design, special studies, and administrative reviews associated with the demolition of the existing smoke house and construction of a new smoke house fire training prop. No bonds have been issued under Bond Act No. 172-2023.

Based on the importance of this project to the County, favorable action on the proposed Bond Act is most respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", written over the word "Sincerely,".

George Latimer
Westchester County Executive

GL/RW/jpg/nn

**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 (the “Bond Act”) in the amount of \$2,000,000 to finance capital project BES24 - Replacement of Smoke House Building (“BES24”). The Bond Act, which was prepared by the law firm Harris Beach PLLC, will finance the purchase of a new pre-fabricated smoke house fire prop building, associated design during construction, and any additional site work needed.

The Department of Emergency Services (“DES”) has advised that the existing smoke house is over 45 years old and has had several large repairs during its life. The repairs are failing due to the building’s age and the repeated exposure to the temperature extremes of live fire, its rapid extinguishment and high pressure impacts resulting from the use of fire hoses during each training evolution. This has resulted in building deterioration and fatigue. Surrounding paved surfaces are exhibiting similar damage from the same wear and tear conditions noted to the building itself.

Your Committee is advised that this realistic fire training prop is one of the most used at the DES training facility. It is used on a nearly daily basis by fire departments from municipalities throughout the County as a valuable hands-on fire suppression training tool for their fire fighters.

Your Committee is further advised that the National Fire Protection Agency (NFPA) has Standards (NFPA 1402 Standards for Fire Training and Associated Props) to ensure structural fitness and safety for LIVE burn buildings. The existing smoke house has been inspected by engineers who recommend the building be replaced and not renovated again.

Your Committee is advised that design is complete. It is estimated that construction will take fourteen (14) months to complete and will begin after award and execution of the construction contracts.

Your Committee notes that your Honorable Board has previously authorized the County to issues bonds for a prior component of BES24 as follows: Bond Act No. 172-2023 in the amount of \$810,000 which funded design, special studies, and administrative reviews associated with the demolition of the existing smoke house and construction of a new smoke house fire training prop. No bonds have been issued under Bond Act No. 172-2023.

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 your Honorable Board is required in order to adopt the Bond Act. Your Committee recommends the adoption of the proposed Bond Act.

Dated: _____, 2024
White Plains, New York

COMMITTEE ON

c.jpg/08.21.2024

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BES24

☐ 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 \$ 2,000,000 PPU 15 Anticipated Interest Rate 2.75%

Anticipated Annual Cost (Principal and Interest): \$ 164,452

Total Debt Service (Annual Cost x Term): \$ 2,466,776

Finance Department: maab 9-19-24

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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 22

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 9/24/24

Reviewed By: 


DV 9/24/24
9/24/24

Date:

Budget Director

9/26/24

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: September 18, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BES24 REPLACEMENT OF SMOKE HOUSE BUILDING**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
08-21-2024 (Unique ID: 2444)

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)(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.

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
Robert Abbamont, Director of Operations, Department of Public Works & Transportation
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF A NEW SMOKE HOUSE FIRE PROP BUILDING; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,000,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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 (the "County"), 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, to the provisions of other laws applicable thereto, \$2,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the acquisition of a new smoke house fire prop building, including design during construction and additional site work; 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 \$2,000,000. The plan of financing includes the issuance of \$2,000,000 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 applicable to the specific object or purpose for which bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 11(a)(c) 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 \$2,000,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. 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 5. 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. 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 6. 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 7. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

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 \$2,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF A NEW SMOKE HOUSE FIRE PROP BUILDING; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,000,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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 acquisition of a new smoke house fire prop building, including design during construction and additional site work; 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: \$2,000,000; fifteen (15) 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:* BES24	<input type="checkbox"/> CBA	Fact Sheet Date:* 08-09-2024
Fact Sheet Year:* 2024	Project Title:* REPLACEMENT OF SMOKE HOUSE BUILDING	Legislative District ID: 3,
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* EMERGENCY SERVICES	CP Unique ID: 2444

Overall Project Description

This project funds a new Smoke House Building fire training prop located in the fire training yard on the Valhalla Grasslands campus.

- | | | |
|--|--|--|
| <input 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 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	6,310	810	5,500	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	6,310	810	5,500	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 1

Current Bond Description: Funding is requested for purchase of the new pre-fabricated smoke house fire prop building, associated design during construction, and any additional site work needed

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

2,000,000

Expected Design Work Provider:

- ☐ County Staff
 ☒ Consultant
 ☐ Not Applicable

Comments:

Purchase of the pre-fab building is needed to complete the construction design and associated site work. Additional funding will be needed/requested for actual construction.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2023	810,000	DESIGN

Total Appropriation History:

810,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
23	172	810,000	0	REPLACEMENT OF SMOKE HOUSE BUILDING

Total Financing History:

810,000

Recommended By:**Department of Planning**

MLLL

Date

08-21-2024

Department of Public Works

RJB4

Date

08-21-2024

Budget Department

DEV9

Date

08-21-2024

Requesting Department

SBS9

Date

08-21-2024

REPLACEMENT OF SMOKE HOUSE BUILDING (BES24)

User Department : Emergency Services

Managing Department(s) : Emergency Services ; 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	2024	2025	2026	2027	2028	Under Review
Gross	6,310	810	1	5,500					
Non County Share									
Total	6,310	810	1	5,500					

Project Description

This project funds a new Smoke House Building fire training prop located in the fire training yard on the Valhalla Grasslands campus.

Current Year Description

The current year request funds construction.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2024	5,500,000			5,500,000

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
2023	810,000	Design	DESIGN
Total	810,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	810,000		810,000
Total	810,000		810,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
172 23	810,000			810,000
Total	810,000			810,000