

# Budget & Appropriations Meeting Agenda



Committee Chair: Jewel Williams Johnson

800 Michaelian Office Bldg.  
148 Martine Avenue, 8th Floor  
White Plains, NY 10601  
[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

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**Monday, January 13, 2025**

**10:00 AM**

**Committee Room**

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**Joint with HP and PWT**

## 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.

Legislator Colin Smith will be participating remotely from 1132 Main St., Suite 1, Peekskill, NY 10566

## MINUTES APPROVAL

### I. ITEMS FOR DISCUSSION

1. [2024-614](#) **ACT-Resource Allocation Plan**

AN ACT authorizing the County of Westchester to execute and submit to the State of New York a Resource Allocation Plan which will provide State reimbursement for certain youth service programs and enter into inter-municipal agreements with various municipalities to implement certain of those programs.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND VETERANS, SENIORS & YOUTH**

B&A Only.

Guest: Youth Bureau

Director Ernest McFadden

2.     [2024-588](#)     **BOND ACT-RD017-MRF Transfer Station Rehab.-Amending Bond Act 99-2019**

A BOND ACT (Amended) authorizing a decrease of bonds of Westchester County from SEVEN MILLION, FIVE HUNDRED THOUSAND (\$7,500,000) DOLLARS to FOUR MILLION, SEVEN HUNDRED THOUSAND (\$4,700,000) DOLLARS to finance Capital Project RD017 - Material Recovery Facility and Transfer Station Rehabilitation.

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

Joint with PWT.

Guests: Department of Environmental Facilities

Commissioner Vincent Kopicki

First Deputy Commissioner Lou Vetrone

Assistant Commissioner Melissa Rotini

3.     [2024-589](#)     **BOND ACT-RD017-MRF Transfer Station Rehab.-Amending Bond Act 85-2020**

A BOND ACT (Amended) reducing the amount of bonds of the County of Westchester from THREE HUNDRED THOUSAND (\$300,000) DOLLARS TO ONE HUNDRED SEVENTY THOUSAND (\$170,000) DOLLARS to finance Capital Project RD017 - Material Recovery Facility and Transfer Station Rehabilitation.

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

Joint with PWT.

Guests: Department of Environmental Facilities

Commissioner Vincent Kopicki

First Deputy Commissioner Lou Vetrone

Assistant Commissioner Melissa Rotini

4.     [2024-590](#)     **BOND ACT-RD017-MRF Transfer Station Rehab.-Consolidated Bond Act Amending 215-2023**

A BOND ACT (Amended) authorizing an increase in bonds of Westchester County by TWO MILLION, NINE HUNDRED THIRTY THOUSAND (\$2,930,000) DOLLARS to EIGHTEEN MILLION, SEVEN HUNDRED SIXTY THOUSAND (\$18,760,000) DOLLARS to finance Capital Project RD017 - Material Recovery Facility and Transfer Station Rehabilitation.

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

Joint with PWT.

Guests: Department of Environmental Facilities

Commissioner Vincent Kopicki

First Deputy Commissioner Lou Vetrone

Assistant Commissioner Melissa Rotini



5.     [2024-612](#)     **ENV RES-Granting Permanent Easements to the City of New York  
Dept. of Environmental Protection**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from an ACT granting permanent easements to the City of New York Department of Environmental Protection.

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

Joint with HP and PWT.

Guests: Department of Environmental Facilities

Commissioner Vincent Kopicki

First Deputy Commissioner Lou Vetrone

Assistant Commissioner Melissa Rotini

6.     [2024-613](#)     **ACT-Granting Permanent Easements to the City of New York Dept.  
of Environmental Protection**

AN ACT authorizing the County of Westchester to grant permanent easements to the City of New York over, under and through certain real properties in the Town of Mount Pleasant.

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

Joint with HP and PWT.

Guests: Department of Environmental Facilities

Commissioner Vincent Kopicki

First Deputy Commissioner Lou Vetrone

Assistant Commissioner Melissa Rotini

7.     [2024-489](#)     **BOND ACT-WCC97-Virginia Marx Children Center**

A BOND ACT authorizing the issuance of THREE HUNDRED TWENTY-SIX THOUSAND (\$326,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC97 - Virginia Marx Children Center.

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

Joint with PWT.

Guests: Westchester Community College

Ben Naylor, Chief of Staff and VP of Strategic Operations

Dawn Gillins, Assistant VP/Comptroller

Ross Garrett, Acting Director of Physical Plant

**8.     [2024-504](#)     **BOND ACT-WCC82-Site Upgrade Campus Wide****

A BOND ACT authorizing the issuance of TWO MILLION, ONE HUNDRED THOUSAND (\$2,100,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC82 - Site Upgrade Campus Wide.

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

Joint with PWT.

Guests: Westchester Community College

Ben Naylor, Chief of Staff and VP of Strategic Operations

Dawn Gillins, Assistant VP/Comptroller

Ross Garrett, Acting Director of Physical Plant

**9.     [2024-505](#)     **BOND ACT-WCC87-Classroom Building Renovation****

A BOND ACT authorizing the issuance of SEVEN HUNDRED FIFTY THOUSAND (\$750,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC87 - Classroom Building Renovation.

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

Joint with PWT.

Guests: Westchester Community College

Ben Naylor, Chief of Staff and VP of Strategic Operations

Dawn Gillins, Assistant VP/Comptroller

Ross Garrett, Acting Director of Physical Plant

**10.   [2024-506](#)     **BOND ACT-WCC88-Maintenance Building Infrastructure Upgrade****

A BOND ACT authorizing the issuance of EIGHT HUNDRED SIXTY-FOUR THOUSAND (\$864,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC88 - Maintenance Building Infrastructure Upgrade.

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

Joint with PWT.

Guests: Westchester Community College

Ben Naylor, Chief of Staff and VP of Strategic Operations

Dawn Gillins, Assistant VP/Comptroller

Ross Garrett, Acting Director of Physical Plant

**11. [2024-507](#) BOND ACT-WCC89-Administration Building Expansion-Renovation**

A BOND ACT authorizing the issuance of FOUR MILLION, ONE HUNDRED EIGHTY-SIX THOUSAND (\$4,186,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC89 - Administration Building Expansion/Renovation.

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

Joint with PWT.

Guests: Westchester Community College

Ben Naylor, Chief of Staff and VP of Strategic Operations

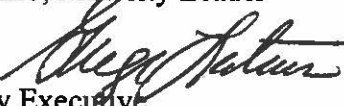
Dawn Gillins, Assistant VP/Comptroller

Ross Garrett, Acting Director of Physical Plant

**II. OTHER BUSINESS****III. RECEIVE & FILE****ADJOURNMENT**

December 5, 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: **Act – Resource Allocation Plan.**

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This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators December 9, 2024 Agenda.

Transmitted herewith is an Act which, if approved by your Honorable Board, will authorize the County of Westchester, acting by and through its Youth Bureau (the "County"), to execute and submit to the State of New York (the "State") a resource allocation plan (the "Plan").

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for December 6, 2024 "blue sheet" calendar.

Thank you for your prompt attention to this matter.



George Latimer  
County Executive

December 5, 2024

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith is an Act which, if approved by your Honorable Board, will authorize the County of Westchester, acting by and through its Youth Bureau (the "County"), to execute and submit to the State of New York (the "State") a resource allocation plan (the "Plan"), which will qualify the County to receive certain State reimbursements through the State's Office of Children and Family Services ("OCFS"). The Plan will authorize the County to allocate funds for certain youth services programs and related administrative activities for a program period of twelve (12) months, commencing October 1, 2024 and terminating September 30, 2025.

The total aggregate reimbursement that the County will receive under the Plan will be One Million, Seven Hundred Twenty-Five Thousand, Five Hundred Sixty-Four and 00/100 (\$1,725,564.00) Dollars ("Funds"). Pursuant to the Plan, the County will administer the Funds on behalf of the OCFS under the following funding streams: (i) Youth Development Program funds ("YDP"); (ii) Runaway and Homeless Youth Act funding ("RHYA"); (iii) Youth Sports and Education Opportunity Funding ("YSEF"); and (iv) the program entitled "Youth Team Sports" ("YTS"). It should be noted that OCFS requires approval by your Honorable Board in order for the County to enter into the Plan.

In addition, if approved by your Honorable Board, the Act will further authorize the County to enter into inter-municipal agreements ("IMAs") with the indicated municipalities set forth below, for the provision of positive youth development programs and sports education programs listed below (individually, the "Program," and, collectively, the "Programs"), for the period of twelve (12) months, from October 1, 2024 through September 30, 2025, for a total aggregate amount not to exceed Three Hundred Sixty-Nine Thousand, Six Hundred Fifty-Six and 00/100 Dollars (\$369,656.00), allocated per Program as follows:

OCFS YOUTH DEVELOPMENT			
VENDOR	PROGRAM	CT #	CT AMT
Ardsley, Village of	Ardsley Teen Center	YTH2519	\$ 4,773.00
Bedford, Town of	Summer Employment Camp	YTH2520	\$ 4,773.00
Briarcliff, Village of	Summer Youth Employment	YTH2521	\$ 4,773.00
Cortlandt, Town of	Youth Employment Services	YTH2523	\$ 8,681.00
Croton-On-Hudson, Village of	Youth Employment	YTH2563	\$ 4,438.00
Eastchester, Town of	Youth Employment	YTH2525	\$ 7,876.00

Elmsford, Village of	Summer Camp	YTH2560	\$	4,773.00
Greenburgh, Town of	TYCC Crossroads	YTH2527	\$	10,091.00
Mamaroneck, Village of	Summer Youth Employment	YTH2529	\$	8,600.00
Mount Kisco, Village of	Lifeguard Youth Employment	YTH2530	\$	4,773.00
Mount Vernon, City of	Fun Filled Summer	YTH2531	\$	8,436.00
	Youth Services	YTH2532	\$	19,643.00
Mt. Pleasant, Town of	Youth Officer	YTH2533	\$	6,741.00
New Castle, Town of	Youth Officer	YTH2534	\$	4,773.00
New Rochelle, City of	Potential Candidates Juvenile	YTH2535	\$	20,897.00
Ossining, Village of	Rec Jobs 101	YTH2538	\$	4,773.00
Peekskill, City of	Build a Boat	YTH2539	\$	5,738.00
	LIFT	YTH2540	\$	12,075.00
Pelham, Village of	Young Entrepreneurs Program	YTH2561	\$	7,637.00
Port Chester, Village of	Summer Camp Employment	YTH2541	\$	7,935.00
	Youth Bureau Community Forum	YTH2542	\$	4,773.00
	Youth Bureau - Summer Youth Employment	YTH2559	\$	22,247.00
Rye, City of	Youth Council	YTH2543	\$	4,773.00
Rye Brook, Village of	Youth Officer	YTH2544	\$	4,773.00
Scarsdale, Village of	Community Youth Service Project	YTH2545	\$	4,773.00
Sleepy Hollow, Village of	Summer Program	YTH2547	\$	4,773.00
	Summer Youth Employment	YTH2558	\$	4,773.00
	Girls As Leaders	YTH2562	\$	12,620.00
Tarrytown, Village of	Camp Summer Employment	YTH2548	\$	4,324.00
Tuckahoe, Village of	Youth Services	YTH2550	\$	4,773.00
White Plains, City	Comprehensive Yth Alt Projects	YTH2551	\$	29,139.00
Yonkers, City of	Teen Recreation Center Program	YTH2552	\$	20,415.00
	Camp Pride/Youth Employment	YTH2553	\$	22,651.00
Yorktown, Town of	Youth Officer	YTH2555	\$	4,650.00

OCFS YOUTH SPORTS			
VENDOR	PROGRAM	CT #	CT AMT
Peekskill, City of	Swim, Soccer, Basketball	NYSSP2514	\$ 14,000.00
Ossining, Village of	Sports Activities	NYSSP2515	\$ 15,000.00
Sleepy Hollow, Village of	Sports Activities	NYSSP2516	\$ 14,000.00
White Plains, City of	Sports Activities	NYSSP2517	\$ 15,000.00

It should be noted that, in addition to the IMAs, the County will enter into numerous agreements with various not-for-profit corporations, municipalities and community-based organizations under the YDP, the RHYA, the YSEF and the YTS programs, for the provision of various youth programs designed to provide opportunities for youth to actively acquire the skills and abilities needed to grow up to be competent, caring and healthy adults, as well as programs intended to support local team sports



programs across New York State and to provide crisis shelter services to run away and homeless youth through the operation of a 14 bed 24 x 7 shelter entitled "Sanctuary Program," subject to all necessary legal approvals.

Since the Plan does not constitute a procurement of goods or services, it is not subject to the provisions of the Westchester County Procurement Policy and Procedures. In addition, the IMAs are exempt from the Westchester County Procurement Policy and Procedures pursuant to section 3(a) xviii thereof, regarding recreation projects and programs for the prevention of delinquency and youth crime and the advancement of the moral, physical, mental and social well-being of the youth of Westchester County.

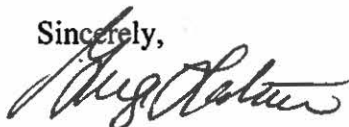
Pursuant the Plan, OCFS reserves the right to modify the services or budgets at its discretion or when required by the State Comptroller. In addition, pursuant to the Plan, OCFS may withhold approval for reimbursement for certain youth programs included in the event of noncompliance with the Plan or rules and regulations of OCFS or if the County does not have a County Child and Family Services Plan approved by OCFS. Please note that the County has a County Child and Family Services Plan which was already approved by OCFS on July 17, 2023. The next five-year Plan (2025-2029) is currently under review.

The Programs use positive youth development models to focus on providing opportunities for youth to actively acquire the skills and abilities needed to grow up to be competent, caring and healthy adults. The Programs will implement service, opportunities and support that target specific areas of positive youth development. The Programs will administer internal controls to collect and analyze qualitative and quantitative outcomes to measure the efficacy of Program goals and their ability to increase positive youth development. The Programs anticipate outcomes of positive skills attainment, social competencies and an increased measure of positive youth development across all measurable areas.

Program outcomes will be tracked and monitored by evaluation of the Programs' data; monthly, quarterly, and annual reports submitted to the County Youth Bureau, and through site visits by the County Youth Bureau Program monitor.

As the County's participation in this Plan will permit reimbursement by the State for the administration of important youth services programs, I strongly recommend that your Honorable Board adopt the annexed Act.

Sincerely,



George Latimer  
County Executive  
Attachments

GL/jmq/sjc



**HONORABLE BOARD OF LEGISLATORS  
COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending approval of an Act, which if approved by your Honorable Board, will authorize the County of Westchester (the “County”) to execute and submit to the State of New York (the “State”) a resource allocation plan (the “Plan”) which will qualify the County for certain State reimbursement through its Office of Children and Family Services (“OCFS”). The Plan will authorize the County to allocate funds to administer certain youth services programs to be provided by certain municipalities and not-for-profit corporations and to related administrative activities, for a program period of twelve (12) months, commencing October 1, 2024 and terminating September 30, 2025.

Your Committee is advised that the total aggregate reimbursement amount that the County will receive under the Plan will be One Million, Seven Hundred Twenty-Five Thousand, Five Hundred Sixty-Four and 00/100 (\$1,725,564.00) Dollars (“Funds”). Pursuant to the Plan, the County will administer the Funds on behalf of OCFS under the following funding streams: (i) Youth Development Program funds (“YDP”); (ii) Runaway and Homeless Youth Act funding (“RHYA”); (iii) Youth Sports and Education Opportunity Funding (“YSEF”); and (iv) the program entitled “Youth Team Sports” (“YTS”). It should be noted that OCFS requires approval by your Honorable Board in order for the County to accept the Funds under the Plan.

In addition, your Committee is advised that the proposed Act will further authorize the County to enter into inter-municipal agreements (“IMAs”) with the indicated municipalities set forth below, for the provision of positive youth development programs and sports education programs listed below (individually, the “Program,” and, collectively, the “Programs”), for the period of twelve (12) months, from October 1, 2024 through September 30, 2025, in a total aggregate amount not to exceed Three Hundred Sixty-Nine Thousand, Six Hundred Fifty-Six and 00/100 Dollars (\$369,656.00), allocated per Program as follows:

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OCFS YOUTH SPORTS			
VENDOR	PROGRAM	CT #	CT AMT
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Ossining, Village of	Sports Activities	NYSSP2515	\$ 15,000.00
Sleepy Hollow, Village of	Sports Activities	NYSSP2516	\$ 14,000.00
White Plains, City of	Sports Activities	NYSSP2517	\$ 15,000.00

Your Committee is advised that, in addition to the IMAs, the County will enter into numerous agreements with various not-for-profit corporations, municipalities and community-based organizations under the YDP, the RHYA, the YSEF and the YTS programs, for the provision of various youth programs designed to provide opportunities for youth to actively acquire the skills and abilities needed to grow up to be competent, caring and healthy adults as well as programs intended to support local team sports programs across New York State and to provide crisis shelter services to run away and homeless youth through the operation of a 14 bed 24 x 7 shelter entitled "Sanctuary Program," subject to all necessary legal approvals.

Since the Plan does not constitute a procurement of goods or services, your Committee is advised that the Plan is not subject to the provisions of the Westchester County Procurement Policy. In addition, your Committee is advised that the IMAs are exempt from the Westchester County Procurement Policy pursuant to section 3(a) xviii thereof, regarding recreation projects and programs for the prevention of delinquency and youth crime and the advancement of the moral, physical, mental and social well-being of the youth of Westchester County.

Your Committee is further advised that pursuant to the Plan, OCFS reserves the right to modify the services or budget at its discretion or when required by the State Comptroller. In addition, pursuant to the Plan, OCFS may withhold approval for reimbursement for certain youth programs included in the event of noncompliance with the Plan or rules and regulations of OCFS or if the County does not have a County Child and Family Services Plan approved by OCFS. Your Committee is advised that the County has a County Child and Family Services Plan which was already approved by OCFS on July 17, 2023. The next five-year Plan (2025-2029) is currently under review.

Your Committee is also advised that the Programs use positive youth development models to focus on providing opportunities for youth to actively acquire the skills and abilities needed to grow up to be competent, caring and healthy adults. The Programs will implement service, opportunities and supports that target specific areas of positive youth development. The Programs will administer internal controls to

collect and analyze qualitative and quantitative outcomes to measure the efficacy of Program goals and their ability to increase positive youth development. The Programs anticipate outcomes of positive skills attainment, social competencies and an increased measure of positive youth development across all measurable areas.

Your Committee is further advised that the Program outcomes will be tracked and monitored by evaluation of the Programs' data; monthly, quarterly, and annual reports submitted to the County Youth Bureau, and through site visits by the County Youth Bureau Program monitor.

The Department of Planning has advised your Committee that based on its review, the authorization of the proposed Plan and IMAs do not meet the definition of an action under the New York State Environmental Quality Review Act ("SEQRA") and its implementing regulations, 6 NYCRR Part 617(2)(b). Please refer to the memorandum from the Department of Planning dated January 8, 2024, which is on file with the Clerk of the Board of Legislators. Your Committee concurs with this recommendation.

Your Committee believes that the County's participation in the Plan and entering into the IMAs will benefit youth by providing funding for certain programs that target specific areas of positive youth development. Therefore, your Committee recommends adoption of the proposed Act. It should be noted that an affirmative vote of a majority of the members of your Honorable Board is required in order to adopt the attached Act. Accordingly, your Committee recommends the annexed proposed Act for adoption.

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

**COMMITTEE ON**

c:sjc 12.5.24

# FISCAL IMPACT STATEMENT

SUBJECT: NYS OCFS 2024/5 Allocation/Municipalities

☐ NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

(To be completed by operating department and reviewed by Budget Department)

A) ☒ GENERAL FUND ☐ AIRPORT ☐ SPECIAL REVENUE FUND (Districts)

### B) EXPENSES AND REVENUES

Total Current Year Cost \$ 1777227

Total Current Year Revenue \$ 1,725,564

Source of Funds (check one): ☒ Current Appropriations

☐ Transfer of Existing Appropriations

☐ Additional Appropriations

☐ Other (explain)

Identify Accounts: Operating Acct: 101-11-0400-OBJ 1010, 165-42-4750-OBJ 1010, 101-0400-OBJ 4436, 263-11-A530-OBJ 4380, 263-11-A108-OBJ 4380, Rev Source 9734

Potential Related Operating Budget Expenses: Annual Amount \$ 215,752

Describe: Youth Bureau Staff Salary Exp for YDP and required match for RHY Programs: \$123,482 under 101-11-0400-1010; RHY Prog Exp as reqd local match \$42,270 under 101-11-0400-4436 and under 165-42-4575-1010 West Cty Park & Rec Staff salary exp \$50,000.

Potential Related Revenues: Annual Amount \$ 1,725,564

Describe: Reimbursements by State to YB Non Profit Orgs \$360,000 (263-11-A530-9584) Municipalities \$311,656 (263-11-A530-9584) RHYA Program \$126,810 (263-11-A108-9584) YDP & RHYA Admin \$114,089 (101-11-0400-9734) All Sports \$763,009 (263-11-A530-9584) and WCPRF \$50,000 (165-42-4750-9734)

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: \$41,022 Youth Bureau

\_\_\_\_\_

\_\_\_\_\_

Next Four years: NA

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Prepared by: Bernie Dean

Title: Financial Administrator

Department: CEO/Youth Bureau

Reviewed By: 

Budget Director

2/5/24

If you need more space, please attach additional sheets.

**ACT NO. 2024 - \_\_\_\_\_**

**AN ACT** authorizing the County of Westchester to execute and submit to the State of New York a Resource Allocation Plan which will provide State reimbursement for certain youth services programs and enter into inter-municipal agreements with various municipalities to implement certain of those programs.

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

**Section 1.** The County of Westchester, acting by and through its Youth Bureau (the “County”), is hereby authorized to execute and submit to the State of New York (“State”) a Resource Allocation Plan (the “Plan”) which will qualify the County to receive certain State reimbursements through the State’s Office of Children and Family Services (“OCFS”), in the total aggregate amount of One Million, Seven Hundred Twenty-Five Thousand, Five Hundred Sixty-Four and 00/100 (\$1,725,564.00) Dollars (“Funds”). The Plan will allocate the Funds for certain youth services programs and related administrative activities, for the program period of twelve (12) months, commencing October 1, 2024 and terminating September 30, 2025, under the following funding streams: (i) Youth Development Program funds ; (ii) Runaway and Homeless Youth Act funding; (iii) Youth Sports and Education Opportunity Funding; and (iv) the program entitled “Youth Team Sports” .

**§2.** The County, is hereby further authorized to enter into inter-municipal agreements (“IMAs”) with the indicated municipalities set forth below, for the provision of positive youth development programs and sports education programs listed below (individually, the “Program,” and, collectively, the “Programs”), for the period of twelve (12) months, from October 1, 2024 through September 30, 2025, in a total aggregate amount not to exceed Three Hundred Sixty-Nine Thousand, Six Hundred Fifty-Six and 00/100 Dollars (\$369,656.00), allocated per Program as follows:

OCFS YOUTH DEVELOPMENT				
VENDOR	PROGRAM	CT #	CT AMT	
Ardsley, Village of	Ardsley Teen Center	YTH2519	\$	4,773.00
Bedford, Town of	Summer Employment Camp	YTH2520	\$	4,773.00
Briarcliff, Village of	Summer Youth Employment	YTH2521	\$	4,773.00
Cortlandt, Town of	Youth Employment Services	YTH2523	\$	8,681.00



Croton-On-Hudson, Village of	Youth Employment	YTH2563	\$	4,438.00
Eastchester, Town of	Youth Employment	YTH2525	\$	7,876.00
Elmsford, Village of	Summer Camp	YTH2560	\$	4,773.00
Greenburgh, Town of	TYCC Crossroads	YTH2527	\$	10,091.00
Mamaroneck, Village of	Summer Youth Employment	YTH2529	\$	8,600.00
Mount Kisco, Village of	Lifeguard Youth Employment	YTH2530	\$	4,773.00
Mount Vernon, City of	Fun Filled Summer	YTH2531	\$	8,436.00
	Youth Services	YTH2532	\$	19,643.00
Mt. Pleasant, Town of	Youth Officer	YTH2533	\$	6,741.00
New Castle, Town of	Youth Officer	YTH2534	\$	4,773.00
New Rochelle, City of	Potential Candidates Juvenile	YTH2535	\$	20,897.00
Ossining, Village of	Rec Jobs 101	YTH2538	\$	4,773.00
Peekskill, City of	Build a Boat	YTH2539	\$	5,738.00
	LIFT	YTH2540	\$	12,075.00
Pelham, Village of	Young Entrepreneurs Program	YTH2561	\$	7,637.00
Port Chester, Village of	Summer Camp Employment	YTH2541	\$	7,935.00
	Youth Bureau Community Forum	YTH2542	\$	4,773.00
	Youth Bureau - Summer Youth Employment	YTH2559	\$	22,247.00
Rye, City of	Youth Council	YTH2543	\$	4,773.00
Rye Brook, Village of	Youth Officer	YTH2544	\$	4,773.00
Scarsdale, Village of	Community Youth Service Project	YTH2545	\$	4,773.00
Sleepy Hollow, Village of	Summer Program	YTH2547	\$	4,773.00
	Summer Youth Employment	YTH2558	\$	4,773.00
	Girls As Leaders	YTH2562	\$	12,620.00
Tarrytown, Village of	Camp Summer Employment	YTH2548	\$	4,324.00
Tuckahoe, Village of	Youth Services	YTH2550	\$	4,773.00
White Plains, City	Comprehensive Yth Alt Projects	YTH2551	\$	29,139.00
Yonkers, City of	Teen Recreation Center Program	YTH2552	\$	20,415.00
	Camp Pride/Youth Employment	YTH2553	\$	22,651.00
Yorktown, Town of	Youth Officer	YTH2555	\$	4,650.00

OCFS YOUTH SPORTS			
VENDOR	PROGRAM	CT #	CT AMT
Peekskill, City of	Swim, Soccer, Basketball	NYSSP2514	\$ 14,000.00
Ossining, Village of	Sports Activities	NYSSP2515	\$ 15,000.00
Sleepy Hollow, Village of	Sports Activities	NYSSP2516	\$ 14,000.00
White Plains, City of	Sports Activities	NYSSP2517	\$ 15,000.00



**§3.** The County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents appropriate and necessary to effectuate the purposes hereof.

**§4.** This Act shall take effect immediately.

**INTERMUNICIPAL AGREEMENT**

**THIS INTER MUNICIPAL AGREEMENT** ("Agreement"), made the \_\_\_\_ day of \_\_\_\_\_, 2024, by and between:

**THE COUNTY OF WESTCHESTER**, a municipal corporation of the State of New York, having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601, (hereinafter referred to as the "County"),  
and

**MUNICIPALITY**, a municipal corporation of the State of New York, having an office and place of business at \_\_\_\_\_ address (hereinafter referred to as the "Municipality").

**WITNESSETH:**

**WHEREAS**, the County of Westchester ("County"), acting by and through its Office of Youth Bureau ("Youth Bureau"), desires that the Municipality provide a \_\_\_\_\_ program entitled "Program Name" (the "Program"); and

**WHEREAS**, the Municipality is willing to provide such Program, upon the terms and conditions set forth herein.

**NOW, THEREFORE**, in consideration of the promises and the covenants and agreements herein contained, the parties hereto agree as follows:

**FIRST:** The Municipality shall provide the Program, as more fully described in Schedule "A" attached hereto and made a part hereof (the "Work"). In consideration for providing the Program, the County shall reimburse the Municipality an amount not to exceed Amount in Words Dollars (\$XXXX), as budgeted in accordance with Schedule "B," which is attached hereto and made a part hereof, payable quarterly, upon approval of the same as to form and manner by the Director of the Westchester County Youth Bureau, (the "Director"), and which amount shall be contingent upon receipt of said amount by the County from the New York State Office of Children and Family Services ("NYSOCFS"), for expenses actually incurred and paid by the Municipality after receipt of vouchers and/or reports in the manner prescribed by the County.

Payment under this Agreement shall be made after submission by the Municipality of an invoice, which shall be uniquely numbered, and paid only after approval of the invoice by the Director. In no event shall payment be made to the Consultant prior to completion of all Work and the approval of same by the Director.

Except as otherwise expressly stated in this Agreement, no payment shall be made by the County to the Municipality for out of pocket expenses or disbursements made in connection with the services rendered or the work to be performed hereunder.

**SECOND:** The Municipality shall provide the County with a report to be submitted within thirty (30) days of the expiration of this Agreement which shall set forth in detail the services performed under the Agreement, the activities, progress and accomplishments under the Agreement, the amount of funds expended for each task performed and the extent and manner in which the goals, objectives and standards established for the Agreement have been met by the Municipality. The above report shall be certified by an officer or director of the Municipality.

The County shall have the right, at its option and at its sole cost and expense, to audit such books and records of the Municipality as are reasonably pertinent to this Agreement to substantiate the basis for payment. The County may withhold payment of funds hereunder for cause found in the course of an audit or because of failure of the Municipality to cooperate with an audit. The County shall, in addition, have the right to audit such books and records subsequent to payment, if such audit is commenced within one (1) year following termination of this Agreement, and to perform random audits during the term of this Agreement. In the event an audit performed by the County reflects overpayment by the County or that monies were not fully expended or that monies were improperly expended, then the Municipality shall reimburse to the County the cost of such audit (if the audit was done by the County or on the County's behalf) and the amount of such overpayment, underpayment or improper payment, within thirty (30) days of notice from the County.

The Municipality further agrees to permit designated employees or agents of the County reasonable on-site inspection of the work being performed by the Municipality under this Agreement, its books, accounts, financial audits and records and agrees to keep records necessary to disclose fully the receipt and disposition of funds received under this Agreement. Unless the County shall, in writing, advise the Municipality to the contrary, the Municipality shall retain all financial records

related to this Agreement for a period of ten years after the expiration or termination of this Agreement.

In no event shall final payment be made to the Municipality prior to completion of all services, the submission of reports and the approval of same by the County Executive or his duly authorized designee.

**THIRD:** The Municipality agrees to procure and maintain insurance naming the County as additional insured, as provided and described in Schedule "C," entitled "Standard Insurance Provisions," which is attached hereto and made a part hereof. In addition to, and not in limitation of the insurance provisions contained in Schedule "C," the Municipality agrees:

(a) that except for the amount, if any, of damage contributed to, caused by, or resulting from the sole negligence of the County, the Municipality shall indemnify and hold harmless the County, its officers, employees, agents and its elected officials from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorney's fees or loss arising directly or indirectly out of the performance or failure to perform hereunder by the Municipality or third parties under the direction or control of the Municipality; and

(b) to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly arising out of this Agreement and to bear all other costs and expenses related thereto; and

(c) In the event the Municipality does not provide the above defense and indemnification to the County, and such refusal or denial to provide the above defense and indemnification is found to be in breach of this provision, then the Municipality shall reimburse the County's reasonable attorney's fees incurred in connection with the defense of any action, and in connection with enforcing this provision of the Agreement.

**FOURTH:** The term of this Agreement will commence October 1, 2024 and terminate September 30, 2025, unless terminated earlier as provided herein.

**FIFTH:** (a) The County, upon thirty (30) days' notice to the Municipality, may terminate this Agreement in whole or in part when the County deems it to be in its best interest. In such event, the Municipality shall be compensated and the County shall be liable only for payment

for services already rendered under this Agreement prior to the effective date of termination at the rates specified in Schedule "B".

In the event of a dispute as to the value of the services rendered by the Municipality prior to the date of termination, it is understood and agreed that the County shall determine the value of such services rendered by the Municipality. Such reasonable and good faith determination shall be accepted by the Municipality as final.

(b) In the event the County determines that there has been a material breach by the Municipality of any of the terms of the Agreement and such breach remains uncured for ten (10) days after service on the Municipality of written notice thereof, the County, in addition to any other right or remedy it might have, may terminate this Agreement and the County shall have the right, power and authority to complete the services provided for in this Agreement, or contract for their completion, and any additional expense or cost of such completion shall be charged to and paid by the Municipality. Notice hereunder shall be effective on the date of receipt.

**SIXTH:** The parties recognize and acknowledge that the obligations of the County under this Agreement are subject to the County's receipt of funds from NYSOCFS to operate the Program, and that no liability shall be incurred by the County beyond the monies made available from NYSOCFS for this Agreement. The Municipality agrees that the County shall not be liable for any of the payments hereunder unless and until the County Commissioner of Finance has received said funds or said funds have been made available to said commissioner.

If, for any reason, the full amount of said funds is not paid over or made available to the County by NYSOCFS, the County may terminate this Agreement immediately or reduce the amount payable to the Municipality, in the discretion of the County. The County shall give prompt notice of any such termination or reduction to the Municipality. If the County subsequently offers to pay a reduced amount to the Municipality, then the Municipality shall have the right to terminate this Agreement upon reasonable prior written notice.

This Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State

Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Municipality, then the Municipality shall have the right to terminate this Agreement upon reasonable prior written notice.

**SEVENTH:** All payments made by the County to the Municipality will be made by electronic funds transfer (“EFT”) pursuant to the County’s Vendor Direct Program. If the Municipality is not already enrolled in the Vendor Direct Program, the Municipality shall fill out and submit an EFT Authorization Form as part of this Agreement, which is attached hereto as Schedule “D” and made a part hereof. (In rare cases, a hardship waiver may be granted. For a Hardship Waiver Request Form, the Municipality understands that it must contact the County’s Finance Department.)

If the Municipality is already enrolled in the Vendor Direct Program, the Municipality hereby agrees to immediately notify the County’s Finance Department in writing if the EFT Authorization Form on file must be changed, and provide an updated version of the document.

**EIGHTH:** Schedule “E” is a form entitled, “Westchester County Youth Bureau Corrective Action Request”. This is a sample form that the Municipality can expect to receive if one or more areas where corrective action is required have been identified.

**NINTH:** All notices given pursuant to this agreement shall be in writing and effective upon mailing. All notices shall be sent by registered or certified mail, return receipt requested or by overnight mail and mailed to the following addresses:

To the County:           Executive Director – Youth Bureau  
112 E. Post Road, 3<sup>rd</sup> floor  
White Plains, New York 10601

with a copy to:       County Attorney  
Michaelian Office Building, Room 600  
148 Martine Avenue  
White Plains, New York 10601

to the Municipality:   Executive Director  
Municipality

Street Address  
City, State Zip

or to such other addresses as may be specified by the parties hereto in writing.

**TENTH:** This Agreement constitutes the entire agreement between the parties hereto with respect to the subject matter hereof and shall supersede all previous negotiations, comments and writings. It shall not be released, discharged, changed or modified except by an instrument in writing signed by a duly authorized representative of each of the parties.

In the event of any conflict between the terms of this Agreement and the terms of any schedule or attachment hereto, it is understood that the terms of this Agreement shall be controlling with respect to any interpretation of the meaning and intent of the parties.

**ELEVENTH:** This Agreement is entered into solely between, and may be enforced only by, the County and the Municipality and shall not be deemed to create any rights in third parties, or to create any obligations of a party to any such third parties.

**TWELFTH:** The Municipality shall not delegate any duties or assign any of its rights under this Agreement without the prior express written consent of the County. The Municipality shall not subcontract any part of the Work without the express written consent of the County, subject to any necessary legal approvals. Any purported delegation of duties, assignment of rights or subcontracting of Work under this Agreement without the prior express written consent of the County is void. All subcontracts that have received such prior written consent shall provide that subcontractors are subject to all terms and conditions set forth in this Agreement. It is recognized and understood by the Municipality that for the purposes of this Agreement, all Work performed by a County-approved subcontractor shall be deemed Work performed by the Municipality and the Municipality shall insure that such subcontracted work is subject to the material terms and conditions of this Agreement. All subcontracts for the Work shall expressly reference the subcontractor's duty to comply with the material terms and conditions of this Agreement and shall attach a copy of the County's contract with the Municipality. The Municipality shall obtain a written acknowledgement from the owner and/or chief executive of subcontractor or his/her duly authorized representative that the subcontractor has received a copy of the County's contract, read it and is familiar with the material terms and conditions thereof. The Municipality shall include provisions in its subcontracts designed to ensure that the



Municipality and/or its auditor has the right to examine all relevant books, records, documents or electronic data of the subcontractor necessary to review the subcontractor's compliance with the material terms and conditions of this Agreement.

**THIRTEENTH:** The Municipality expressly agrees that neither it nor any contractor, subcontractor, employee, or any other person acting on its behalf shall discriminate against or intimidate any employee or other individual on the basis of race, creed, religion, color, gender, age, national origin, ethnicity, alienage or citizenship status, disability, marital status, sexual orientation, familial status, genetic predisposition or carrier status during the term of or in connection with this Agreement, as those terms may be defined in Chapter 700 of the Laws of Westchester County. The Municipality acknowledges and understands that the County maintains a zero tolerance policy prohibiting all forms of harassment or discrimination against its employees by co-workers, supervisors, vendors, contractors, or others.

**FOURTEENTH:** The Municipality shall comply, at its own expense, with the provisions of all applicable federal, state and local laws, rules, regulations, orders or ordinances and requirements of every kind and nature, which now exist or are hereinafter be enacted or promulgated ("Laws") applicable to this Agreement, the Municipality or the Work to be performed hereunder. Without limiting the generality of the foregoing, the Municipality further agrees to comply, at its own expense, with all Laws applicable to it as an employer of labor, and all Laws and licensing requirements pertaining to its professional status and that of its employees, partners, associates, subcontractors and others employed to render the Work hereunder.

**FIFTEENTH:** Failure of the County to insist, in any one or more instances, upon strict performance of any term or condition herein contained shall not be deemed a waiver or relinquishment of such term or condition, but the same shall remain in full force and effect. Acceptance by the County of any Work or the payment of any fee or reimbursement due hereunder with knowledge of a breach of any term or condition hereof, shall not be deemed a waiver of any such breach and no waiver by the County of any provision hereof shall be implied.

**SIXTEENTH:** This Agreement may be executed simultaneously in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. This Agreement shall be construed and enforced in accordance with the laws of the State of New York. In addition, the parties hereby agree that for any cause of action arising out of this Agreement shall be brought in the County of Westchester.

If any term or provision of this Agreement is held by a court of competent jurisdiction to be invalid or void or unenforceable, the remainder of the terms and provisions of this Agreement shall in no way be affected, impaired, or invalidated, and to the extent permitted by applicable law, any such term, or provision shall be restricted in applicability or reformed to the minimum extent required for such to be enforceable. This provision shall be interpreted and enforced to give effect to the original written intent of the parties prior to the determination of such invalidity or unenforceability.

**SEVENTEENTH:** The Agreement shall not be enforceable unless signed by the parties and approved by the Office of the County Attorney.

[NO FURTHER TEXT/ SIGNATURE PAGE FOLLOWS]

**IN WITNESS WHEREOF**, the County and the Municipality have caused this Agreement to be executed:

**THE COUNTY OF WESTCHESTER**

By: \_\_\_\_\_

Name: Kenneth W. Jenkins

Title: Deputy County Executive

**THE MUNICIPALITY**

By: \_\_\_\_\_

Name:

Title:

Approved by the Westchester County Board of Legislators of the County of Westchester by Act No. \_\_\_\_\_ - 2024.

Approved:

\_\_\_\_\_  
Assistant County Attorney  
The County of Westchester

**MUNICIPAL ACKNOWLEDGMENT**  
(Municipal Corporation)

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

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, before me personally came \_\_\_\_\_ to me known, and known to me to be the \_\_\_\_\_ of \_\_\_\_\_, the corporation described in and which executed the within instrument, who being by me duly sworn did depose and say that he/she, the said \_\_\_\_\_ resides at \_\_\_\_\_ and that he/she is \_\_\_\_\_ of said corporation and knows the corporate seal of the said corporation; that the seal affixed to the within instrument is such corporate seal and that it was so affixed by order of the Board of Directors of said corporation, and that he/she signed his name thereto by like order.

\_\_\_\_\_  
Notary Public

**CERTIFICATE OF AUTHORITY**  
(Municipality)

I, \_\_\_\_\_, certify that I am the  
(Officer other than officer signing contract)

\_\_\_\_\_ of the \_\_\_\_\_  
(Title) (Name of Municipality)

(the "Municipality") a corporation duly organized in good standing under the \_\_\_\_\_

(Law under which organized, e.g., the New York Village Law, Town Law, General Municipal Law)

named in the foregoing agreement that \_\_\_\_\_  
(Person executing agreement)

who signed said agreement on behalf of the Municipality was, at the time of execution  
\_\_\_\_\_ of the Municipality,  
(Title of such person),

that said agreement was duly signed for on behalf of said Municipality by authority of its  
\_\_\_\_\_ thereunto duly authorized,  
(Town Board, Village Board, City Council)

and that such authority is in full force and effect at the date hereof.

\_\_\_\_\_  
(Signature)

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

On this \_\_\_ day of \_\_\_\_\_, 20\_\_, before me personally came \_\_\_\_\_  
\_\_\_\_\_ whose signature appears above, to me known, and know to be the  
\_\_\_\_\_ of \_\_\_\_\_,  
(Title)

the municipal corporation described in and which executed the above certificate, who being by me  
duly sworn did depose and say that he, the said \_\_\_\_\_  
resides at \_\_\_\_\_, and that he/she  
is the \_\_\_\_\_ of said municipal corporation.  
(Title)

\_\_\_\_\_  
Notary Public County

**SCHEDULE "A"**  
**SCOPE OF SERVICES**

DRAFT

**SCHEDULE "B"**  
**BUDGET**

DRAFT



**WESTCHESTER COUNTY YOUTH BUREAU**  
**FISCAL REQUIREMENTS AND POLICIES**

Westchester County Youth Bureau funds many different programs in each budget year. This material is designed to clarify the Bureau's fiscal requirements and policies regarding these programs. If questions arise, please contact the Youth Bureau at (914) 995-2755.

**Below is a list of current funding categories:**

All expenditures must be made in accordance with an approved budget, including any budget amendments. Programs funded by the Youth Bureau must file listings of all program expenses paid prior to receiving funds. A Program Expenditure Summary and applicable Program Expenditure Reports must be filed for each program. Listed below is a summary of the forms, which make up completed claim forms for reimbursement of program expenses:

<u>Type of Funding</u>	<u>Name of Form</u>	<u>Form Number</u>
NYS OCFS	Program Expenditure Summary	OCFS3125
	Salaries Report	OCFS3126
	Fringe Benefits Report	OCFS3127
	Consultants, Contracted Services & Stipends Report	OCFS3128
	Miscellaneous	OCFS3129
	Travel	OCFS3130

All claims should be submitted in original and must have original signature. The Contract Number must be entered on all the claim forms for Local Tax Levy Programs. The Executive Director or another authorized official of the agency must make the certification on the Program Expenditure Summary report.

All claims should be prepared and submitted quarterly. These quarterly claims should be submitted not later than the 20<sup>th</sup> date of the month following the end of the quarter, except the 4<sup>th</sup> quarter which is due on January 10<sup>th</sup> of the following year.

Copies of back-up documents should be submitted with the expenditure reports. Listed below is a summary of the back-up documents for various expenses:

<u>Type of Expense</u>	<u>Back-up Documents</u>
Salary & Wages	Payroll Register and Proof of Payment
Fringe Benefits	Invoice from the Vendor and Proof of Payment
Consultant/Contracted Services	Signed Agreement, Invoice and Proof of Payment
OTPS/Misc.	Invoice from the Vendor and Proof of Payment
Employee Exp. Reimbursement	Employee Exp. Request Form, Receipt, and Proof of Payment

The Youth Bureau audits each claim against appropriate Westchester County and NY State Finance Law, Rules & Regulations, Fiscal Policies & Procedures, and the approved budget of each program and any approved budget amendments. Claims with calculation errors, and not submitted in accordance with Fiscal Policies & Procedures and approved budget will be returned. All claims must be sent to:

Westchester County Youth Bureau  
 112 East Post Road, 3rd Floor  
 White Plains, NY 10601

**SCHEDULE "C"**  
**STANDARD INSURANCE PROVISIONS**  
 (Youth & Human Services)

1. Prior to commencing work, and throughout the term of the Agreement, the Municipality shall obtain at its own cost and expense the required insurance as delineated below from insurance companies licensed in the State of New York, carrying a Best's financial rating of A or better. The Municipality shall provide evidence of such insurance to the County of Westchester ("County"), either by providing a copy of policies and/or certificates as may be required and approved by the Director of Risk Management of the County ("Director"). The policies or certificates thereof shall provide that ten (10) days prior to cancellation or material change in the policy, notices of same shall be given to the Director either by overnight mail or personal delivery for all of the following stated insurance policies. All notices shall name the Municipality and identify the Agreement.

If at any time any of the policies required herein shall be or become unsatisfactory to the Director, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the Director, the Municipality shall upon notice to that effect from the County, promptly obtain a new policy, and submit the policy or the certificate as requested by the Director to the Office of Risk Management of the County for approval by the Director. Upon failure of the Municipality to furnish, deliver and maintain such insurance, the Agreement, at the election of the County, may be declared suspended, discontinued or terminated.

Failure of the Municipality to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Municipality from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Municipality concerning indemnification.

All property losses shall be made payable to the "County of Westchester" and adjusted with the appropriate County personnel.

In the event that claims, for which the County may be liable, in excess of the insured amounts provided herein are filed by reason of Municipality's negligent acts or omissions under the Agreement or by virtue of the provisions of the labor law or other statute or any other reason, the amount of excess of such claims or any portion thereof, may be withheld from payment due or to become due the Municipality until such time as the Municipality shall furnish such additional security covering such claims in form satisfactory to the Director.

In the event of any loss, if the Municipality maintains broader coverage and/or higher limits than the minimums identified herein, the County shall be entitled to the broader coverage and/or higher limits maintained by the Municipality. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the County.

2. The Municipality shall provide proof of the following coverage (if additional coverage is required for a specific agreement, those requirements will be described in the Agreement):

a) Workers' Compensation and Employer's Liability. Certificate form C-105.2 or State Fund Insurance Company form U-26.3 is required for proof of compliance with the New York State Workers' Compensation Law. State Workers' Compensation Board form DB-120.1 is required for proof of compliance with the New York State Disability Benefits Law. Location of operation shall be "All locations in Westchester County, New York."

Where an applicant claims to not be required to carry either a Workers' Compensation Policy or Disability Benefits Policy, or both, the employer must complete NYS form CE-200, available to download at: <http://www.wcb.ny.gov>.

If the employer is self-insured for Workers' Compensation, he/she should present a certificate from the New York State Worker's Compensation Board evidencing that fact (Either SI-12, Certificate of Workers' Compensation Self-Insurance, or GSI-105.2, Certificate of Participation in Workers' Compensation Group Self-Insurance).

b) Commercial General Liability Insurance with a combined single limit of \$1,000,000 (c.s.1) per occurrence and a \$2,000,000 aggregate limit naming the "County of Westchester" as an additional insured on a primary and non-contributory basis. This insurance shall include the following coverages:

- i. Premises - Operations.
- ii. Broad Form Contractual.
- iii. Independent Contractor and Sub-Contractor.
- iv. Products and Completed Operations.

c) Commercial Umbrella/Excess Insurance: \$2,000,000 each Occurrence and Aggregate naming the "County of Westchester" as additional insured, written on a "follow the form" basis.

NOTE: Additional insured status shall be provided by standard or other endorsement that extends coverage to the County of Westchester for both on-going and completed operations.

d) Automobile Liability Insurance with a minimum limit of liability per occurrence of \$1,000,000 for bodily injury and a minimum limit of \$100,000 per occurrence for property damage or a combined single limit of \$1,000,000 unless otherwise indicated in the contract specifications. This insurance shall include for bodily injury and property damage the following coverages and name the "County of Westchester" as additional insured:

- i. Owned automobiles.
- ii. Hired automobiles.
- iii. Non-owned automobiles.

e) Abuse and Molestation Liability, either by separate policy of insurance or through endorsement to the General Liability Policy or Professional Liability Policy. (Limits of \$1,000,000.00 per occurrence/2,000,000 aggregate). This insurance shall include coverage for the following, including coverage for client on client, counselor client, and third parties:

- i. Misconduct
- ii. Abuse (including both physical and sexual)
- iii. Molestation

3. All policies of the Municipality shall be endorsed to contain the following clauses:

a) Insurers shall have no right to recovery or subrogation against the County (including its employees and other agents and agencies), it being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above-described insurance.

b) The clause "other insurance provisions" in a policy in which the County is named as an insured, shall not apply to the County.

c) The insurance companies issuing the policy or policies shall have no recourse against the County (including its agents and agencies as aforesaid) for payment of any premiums or for assessments under any form of policy.

d) Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the sole risk of, the Municipality.

**SCHEDULE "D"**  
**VENDOR DIRECT PROGRAM - ELECTRONIC FUNDS TRANSFER**

The Licensee shall complete the "Electronic Funds Transfer (EFT) Vendor Direct Payment Authorization Form" as part of the County's 'Vendor Direct' program utilizing Electronic Funds Transfer ("EFT") payments.

The County will deposit payments via EFT two business days after the voucher/invoice is processed. Please note that Saturdays, Sundays, and legal holidays are not considered business days.

Under the Vendor Direct program, the Licensee will receive an e-mail notification one day prior to the day the payment will be credited to its designated account. The e-mail notification will come in the form of a remittance advice with the same information that would appear on a paper check stub, and will contain the date that the funds will be credited to its account.


The Licensee shall contact the County in the same manner for a discrepancy in the amount received via EFT as it would for a discrepancy in the amount received in a paper check.

In the unlikely event that the Licensee did not receive the money in its designated bank account on the date indicated in the e-mail, the Licensee shall contact the County's Finance Department's Accounts Payable Office at 914-995-2788.

The Licensee shall promptly notify the County whenever it changes any information regarding, or closes, the bank account that it enrolled in the Vendor Direct program for EFT payments. The Licensee shall then complete, and provide to the County, a new "Electronic Funds Transfer (EFT) Vendor Direct Payment Authorization Form". The Licensee shall contact the County's Finance Department's Accounts Payable Office at 914-995-2788 to obtain a new form.

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[NO FURTHER TEXT ON THIS PAGE]

	<b>Westchester County • Department of Finance • Treasury Division</b> <b>Electronic Funds Transfer (EFT)</b> <b>Vendor Direct Payment Authorization Form</b>	<b>Authorization is:</b> <i>(check one)</i> <input type="checkbox"/> New <input type="checkbox"/> Change <input type="checkbox"/> No Change
<b>INSTRUCTIONS:</b> Please complete both sections of this Authorization form and attach a voided check. See the reverse for more information and instructions. If you previously submitted this form and there is no change to the information previously submitted, <b>ONLY</b> complete lines 1 through 6 of section 1.		

### Section I - Vendor Information

1. Vendor Name:		
2. Taxpayer ID Number or Social Security Number:		
3. Vendor Primary Address		
4. Contact Person Name:		
5. Vendor E-Mail Addresses for Remittance Notification:		Contact Person Telephone Number:
6. Vendor Certification: <i>I have read and understand the Vendor Direct Payment Program and hereby authorize payments to be received by electronic funds transfer into the bank that I designate in Section II. I further understand that in the event that an erroneous electronic payment is sent, Westchester County reserves the right to reverse the electronic payment. In the event that a reversal cannot be implemented, Westchester County will utilize any other lawful means to retrieve payments to which the payee was not entitled.</i>		
_____ Authorized Signature	_____ Print Name/Title	_____ Date

### Section II- Financial Institution Information

7. Bank Name:		
8. Bank Address:		
9. Routing Transit Number:	10. Account Type: (check one) <input type="checkbox"/> Checking <input type="checkbox"/> Savings	
11. Bank Account Number:	12. Bank Account Title:	
13. Bank Contact Person Name:	Telephone Number:	
14. FINANCIAL INSTITUTION CERTIFICATION (required <b>ONLY</b> if directing funds into a Savings Account <b>OR</b> if a voided check is not attached to this form): <i>I certify that the account number and type of account is maintained in the name of the vendor named above. As a representative of the named financial institution, I certify that this financial institution is ACH capable and agrees to receive and deposit payments to the account shown.</i>		
_____ Authorized Signature	_____ Print Name / Title	_____ Date

**(Leave Blank - to be completed by Westchester County) - Vendor number assigned**

<div style="display: flex; justify-content: space-around;"> <div style="width: 15px; height: 15px; border: 1px solid black;"></div> <div style="width: 15px; height: 15px; border: 1px solid black;"></div> <div style="width: 15px; height: 15px; border: 1px solid black;"></div> <div style="width: 15px; height: 15px; border: 1px solid black;"></div> <div style="width: 15px; height: 15px; border: 1px solid black;"></div> </div>
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Westchester County • Department of Finance • Treasury Division

## Electronic Funds Transfer (EFT) Vendor Direct Payment Authorization Form

### GENERAL INSTRUCTIONS

Please complete both sections of the Vendor Direct Payment Authorization Form and forward the completed form (along with a voided check for the account to which you want your payments credited) to: Westchester County Department of Finance, 148 Martine Ave, Room 720, White Plains, NY 10601, Attention: Vendor Direct. Please see item 14 below regarding attachment of a voided check.

### Section I - VENDOR INFORMATION

1. Provide the name of the vendor as it appears on the W-9 form.
2. Enter the vendor's Taxpayer ID number or Social Security Number as it appears on the W-9 form.
3. Enter the vendor's complete primary address (not a P.O. Box).
4. Provide the name and telephone number of the vendor's contact person.
5. Enter the business e-mail address for the remittance notification. **THIS IS VERY IMPORTANT.** This is the e-mail address that we will use to send you notification and remittance information two days prior to the payment being credited to your bank account. We suggest that you provide a group mailbox (if applicable) for your e-mail address. You may also designate multiple e-mail addresses.
6. Please have an authorized Payee/Company official sign and date the form and include his/her title.

### Section II - FINANCIAL INSTITUTION INFORMATION

7. Provide bank's name.
8. Provide the complete address of your bank.
9. Enter your bank's 9 digit routing transit number.
10. Indicate the type of account (check one box only).
11. Enter the vendor's bank account number.
12. Enter the title of the vendor's account.
13. Provide the name and telephone number of your bank contact person.
14. If you are directing your payments to a Savings Account OR you can not attach a voided check for your checking account, this line needs to be completed and signed by an authorized bank official. IF YOU DO ATTACH A VOIDED CHECK FOR A CHECKING ACCOUNT, YOU MAY LEAVE THIS LINE BLANK.

NEW/CHANGE VEN EFT 9/08



**SCHEDULE "E"**  
**WESTCHESTER COUNTY YOUTH BUREAU**  
**SAMPLE CORRECTIVE ACTION REQUEST**

To: Program Contact: Organization Name:	From: Name of YB Program Monitor
Program Name:	Email:
Action Request Date:	
Action Due by:	

☐ 1<sup>st</sup> Notice☐ 2<sup>nd</sup> Notice☐ Final Notice

Monitoring of the abovementioned program has identified one or more areas where corrective action is required. Please see the item(s) checked below along with monitor notes for the appropriate plan of action. All requests for corrective action(s) must be addressed within 30 days of this notice.

- ☐ Monthly Statistical Report(s) are outstanding.
- ☐ Quarterly Statistical Report(s) are outstanding.
- ☐ Annual Report is outstanding.
- ☐ Failure to respond to site visit request(s).
- ☐ Failure to submit fiscal claim(s).

**Program Monitor Notes:**



George Latimer  
County Executive

November 13, 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 are three bond acts ("Bond Acts") of the County of Westchester ("County") related to capital project RD017 – Material Recovery Facility and Transfer Station Rehabilitation ("RD017") as follows:

- (1) an Amending Bond Act which would reduce the amount of bonds authorized by Bond Act No. 99-2019 from \$7,500,000 to \$4,700,000, a decrease of \$2,800,000 ("Bond Act Amending 99-2019");
- (2) an Amending Bond Act which would reduce the amount of bonds authorized by Bond Act No. 85-2020 from \$300,000 to \$170,000 ("Bond Act Amending 85-2020"), a decrease of \$130,000; and
- (3) a Bond Act which would amend Bond Act No. 215-2023, which authorized the County to issue bonds for design, construction management, and construction for various improvements to transfer stations and the Materials Recovery Facility in and for the County's Refuse Disposal District No. 1 ("District"). This bond act would increase the estimated maximum amount and the amount of bonds authorized by \$2,930,000 to \$18,760,000, representing a consolidation of (i) \$2,800,000 from Act No. 99-2019, and (ii) \$130,000 from Act No. 85-2020 ("Consolidated Bond Act Amending 215-2023").

It should be noted that Bond Act Amending 99-2019 and Bond Act Amending 85-2020 do not authorize the issuance of additional bonds or change the existing authorization or purpose in any way, other than by preventing any additional issuance of bonds thereunder. Furthermore, in the aggregate Bond Act Amending 99-2019 and Bond Act Amending 85-2020 would decrease the total amount authorized for RD017 by \$2,930,000.

The Department of Environmental Facilities ("Department") has advised that the Bond Acts are necessary to consolidate and reallocate unissued bond authorizations of prior bond act numbers 85-2020 and 99-2019 into 215-2023. Through dedicated efforts to reduce costs where possible, the Refuse and Recycling Division ("Division") of the Department has realized cost savings in connection with certain bonded projects.

Bond Act 85-2020 involved a study of the Yonkers Transfer Station Facility for redundancy, which has been completed for less than the budgeted amount. Therefore, the Department seeks to reallocate the remaining bonding to other projects.

Office of the County Executive

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

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

[westchestergov.com](http://westchestergov.com)


Additionally, Bond Act 99-2019 authorized financing for a large-scale project at the Yonkers Transfer Station related to a New York State Department of Environmental Conservation ("NYSDEC") Consent Order. During design, several project stages were developed. A basin was designed and implemented as the first phase of the project. Following completion of the basin, an extended sampling period was implemented by NYSDEC. At this time, NYSDEC has indicated that it is satisfied with the operation of the basin and is not directing further work. Accordingly, the Department is seeking to use the remaining bonding allowance for other projects.

Bond Act 215-2023 authorized financing for facility and processing upgrades at the District Transfer Stations and Material Recovery Facility ("MRF"), for which design is and/or will be undertaken by a consultant, and procurement will be managed in house. The first project expected to be completed under RD017 is the Yonkers transfer station/MRF roofs and related equipment. Design for that component was already has a completed and the Department of Public Works and Transportation is in the process of preparing bid documents. It is estimated that construction will take nine months to complete and will begin after award and execution of the construction contracts.

The Department has further advised that these components of RD017 have previously received financing approval of your Honorable Board, and RD017 has previously received approval by the New York State Comptroller ("Comptroller") in accordance with Section 268 of the New York State County Law by an Order of the Comptroller dated January 26, 2018.

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

Sincerely,

  
~~George Latimer~~ *Kenneth Jenkins*  
~~Westchester County Executive~~  
*Acting County Executive*

Attachments

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

Your Committee is in receipt of an amended bond act, prepared by the law firm Norton Rose Fulbright, which would reduce the amount of bonds of the County of Westchester (“County”) authorized by prior Bond Act No. 99-2019 to finance Capital Project RD017 – Material Recovery Facility and Transfer Station Rehabilitation (“RD017”) from \$7,500,000 to \$4,700,000, a decrease of \$2,800,000 (“Bond Act Amending 99-2019”).

The Bond Act Amending 99-2019 would finance the costs of design, construction management and construction of leachate collection facilities at the County’s Yonkers Material Recovery Facility and Transfer Station in the amount of \$4,700,000. It should be noted that Bond Act Amending 99-2019 would not authorize the issuance of additional bonds or change the existing authorization or purpose in any way, other than by preventing any additional issuance of bonds thereunder.

The Department of Environmental Facilities (“Department”) has advised that the Bond Act Amending 99-2019 is one of three necessary to consolidate and reallocate unissued bond authorizations of prior bond act numbers 85-2020 and 99-2019 into 215-2023. Through dedicated efforts to reduce costs where possible, the Refuse and Recycling Division (“Division”) of the Department has realized cost savings in connection with certain bonded projects.

The Department has further advised that Bond Act 99-2019 authorized financing for a large-scale project at the Yonkers Transfer Station related to a New York State Department of Environmental Conservation (“NYSDEC”) Consent Order. During design, several project stages were developed. A basin was designed and implemented as the first phase of the project. Following completion of the basin, and extended sampling period was implemented by NYSDEC. At this time, NYSDEC has indicated that it is satisfied with the operation of the basin and is not directing further work. Accordingly, the Department is seeking to use the remaining bonding allowance for other projects.

The Department has further advised that these components of RD017 have previously received bonding approval, and RD017 has previously received approval by the New York State Comptroller (“Comptroller”) in accordance with Section 268 of the New York State County Law by an Order of the Comptroller dated January 26, 2018.

The Department of Planning has advised your Committee that based on its review, RD017 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.

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

**COMMITTEE ON**

C:MG:10/22/24



# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RD017

☐ 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

**AMEND ACT 215-2023 BY ADDING \$2,930,000; REDUCE ACTS 99-2019 AND 85-2020 BY \$2,930,000**

## SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal    \$            18,760,000            PPU    25            Anticipated Interest Rate    3.55%

Anticipated Annual Cost (Principal and Interest):            \$    1,109,536

Total Debt Service (Annual Cost x Term):            \$    27,738,408

Finance Department:    maab 11-8-24

## 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:            204

Prepared by:    Dianne Vanadia

Title:    Associate Budget Director

Department:    Budget

Date:    11/12/2024


Reviewed By: 

Date: 11/12/24

Budget Director

11/13/24

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 25, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
RD017 Material Recovery Facility and Transfer Station Rehabilitation**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on  
09-03-2024 (Unique ID: 2668)

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;
  - **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  
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 AMENDING ACT NO. 99-2019, WHICH AUTHORIZED THE ISSUANCE OF \$7,500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS OF LEACHATE COLLECTION FACILITIES AT THE YONKERS MATERIAL RECOVERY FACILITY AND TRANSFER STATION, IN AND FOR THE BENEFIT OF THE COUNTY'S REFUSE DISPOSAL DISTRICT NO. 1, TO REDUCE THE ESTIMATED MAXIMUM COST AND AMOUNT OF BONDS AUTHORIZED BY \$2,800,000.

WHEREAS, pursuant to Act No. 99-2019, dated June 3, 2019, the Board previously authorized the issuance of \$7,500,000 bonds to finance the cost of the design, construction management and construction costs of leachate collection facilities at the Yonkers Material Recovery Facility and Transfer Station in and for the benefit of the County's Refuse Disposal District No. 1; and

WHEREAS, \$4,005,147 obligations have heretofore been issued under Bond Act No. 99-2019; and

WHEREAS, it is now desired to (i) reduce the estimated maximum cost and amount of bonds authorized under Act No. 99-2019 by \$2,800,000, leaving \$4,700,000 authorized herein, and (ii) by separate bond act, transfer and consolidate the \$2,800,000 bonds authorized under Act No. 99-2019 into Act No. 215-2023; and

NOW, THEREFORE,

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 of said Board), AS FOLLOWS:

Section (A): The Bond Act duly adopted by this Board on June 3, 2019, entitled:

ACT NO. 99-2019.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$7,500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN,

CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS OF LEACHATE  
COLLECTION FACILITIES AT THE YONKERS MATERIAL RECOVERY FACILITY  
AND TRANSFER STATION, IN, AND FOR THE BENEFIT OF, THE COUNTY'S  
REFUSE DISPOSAL DISTRICT NO. 1.

is hereby amended to read as follows:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$4,700,000 BONDS OF THE  
COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN,  
CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS OF LEACHATE  
COLLECTION FACILITIES AT THE YONKERS MATERIAL RECOVERY FACILITY  
AND TRANSFER STATION, IN, AND FOR THE BENEFIT OF, THE COUNTY'S  
REFUSE DISPOSAL DISTRICT NO. 1.

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 purposes 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 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. For the class of objects or purposes of financing the design, construction  
management and construction costs of leachate collection facilities at the Yonkers Material Recovery  
Facility and Transfer Station, including incidental expenses in connection therewith, there are hereby  
authorized to be issued \$4,700,000 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 \$4,700,000, and that the plan for the financing thereof is by the issuance of the \$4,700,000 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 twenty-five years pursuant to subdivision six 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 Refuse Disposal District No. 1, 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 Act shall take effect immediately upon approval by the County Executive. No legal notice, as described in Section 81.00 of the Local Finance Law, is required to be published in connection with this Act, as this Act does not increase the amount of bonds previously authorized.



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: \_\_\_\_\_

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 \_\_\_\_\_,  
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 \_\_\_\_\_.

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

(CORPORATE  
SEAL

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

Your Committee is in receipt of an amended bond act, prepared by the law firm Norton Rose Fulbright, which would reduce the amount of bonds of the County of Westchester (“County”) authorized by prior Bond Act No. 85-2020 to finance Capital Project RD017 – Material Recovery Facility and Transfer Station Rehabilitation (“RD017”) from \$300,000 to \$170,000, a decrease of \$130,000 (“Bond Act Amending 85-2020”).

The Bond Act Amending 85-2020 would finance the costs of for a study to evaluate the Material Recovery Facility and four Solid Waste Transfer Stations for building and equipment upgrades or replacement, in and for, the benefit of the County’s Refuse Disposal District No. 1 in the amount of \$170,000. It should be noted that Bond Act Amending 85-2020 would not authorize the issuance of additional bonds or change the existing authorization or purpose in any way, other than by preventing any additional issuance of bonds thereunder.

The Department of Environmental Facilities (“Department”) has advised that Bond Act Amending 85-2020 is one of three necessary to consolidate and reallocate unissued bond authorizations of prior bond act numbers 85-2020 and 99-2019 into 215-2023. Through dedicated efforts to reduce costs where possible, the Refuse and Recycling Division (“Division”) of the Department has realized cost savings in connection with certain bonded projects.

Bond Act 85-2020 involved a study of the Yonkers Transfer Station Facility for redundancy, which has been completed for less than the budgeted amount. Therefore, the Department seeks to reallocate the remaining bonding to other projects.

The Department has further advised that these components of RD017 have previously received bonding authorization, and RD017 has previously received approval by the New York State Comptroller (“Comptroller”) in accordance with Section 268 of the New York State County Law by an Order of the Comptroller dated January 26, 2018.

The Department of Planning has advised your Committee that based on its review, RD017 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.

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

**COMMITTEE ON**

C:MG:10 22 24

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RD017

☐ 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

**AMEND ACT 215-2023 BY ADDING \$2,930,000; REDUCE ACTS 99-2019 AND 85-2020 BY \$2,930,000**

## SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal    \$            18,760,000            PPU    25            Anticipated Interest Rate    3.55%

Anticipated Annual Cost (Principal and Interest):            \$    1,109,536

Total Debt Service (Annual Cost x Term):            \$    27,738,408

Finance Department:    maab 11-8-24

## 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:            204

Prepared by:    Dianne Vanadia

Title:    Associate Budget Director

Department:    Budget

Date:    11/12/2024


Reviewed By: 

Budget Director

Date: 11/12/24

11/13/24

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 25, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
RD017 Material Recovery Facility and Transfer Station Rehabilitation**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on  
09-03-2024 (Unique ID: 2668)

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;
  - **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  
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 AMENDING ACT NO. 85-2020, WHICH AUTHORIZED THE ISSUANCE OF \$300,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO FINANCE A STUDY TO EVALUATE THE MATERIAL RECOVERY FACILITY AND FOUR SOLID WASTE TRANSFER STATIONS FOR BUILDING AND EQUIPMENT UPGRADES OR REPLACEMENT, IN AND FOR, THE BENEFIT OF THE COUNTY'S REFUSE DISPOSAL DISTRICT NO. 1, TO REDUCE THE ESTIMATED MAXIMUM COST AND AMOUNT OF BONDS AUTHORIZED BY \$130,000.

WHEREAS, pursuant to Act No. 85-2020, dated May 18, 2020, the Board previously authorized the issuance of \$300,000 bonds to finance a study to evaluate the Material Recovery Facility and four Solid Waste Transfer Stations for building and equipment upgrades or replacement in and for the benefit of the County's Refuse Disposal District No. 1; and

WHEREAS, no obligations have been issued thereunder; and

WHEREAS, it is now desired to (i) reduce the estimated maximum cost and amount of bonds authorized under Act No. 85-2020 by \$130,000, leaving \$170,000 authorized herein, and (ii) by separate bond act, transfer and consolidate the \$130,000 bonds authorized under Act No. 85-2020 into Act No. 215-2023; and

NOW, THEREFORE,

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 of said Board), AS FOLLOWS:

Section (A): The Bond Act duly adopted by this Board on May 18, 2020, entitled:

ACT NO. 85-2020.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO FINANCE A STUDY TO EVALUATE THE MATERIAL RECOVERY FACILITY AND FOUR SOLID WASTE TRANSFER STATIONS FOR BUILDING AND EQUIPMENT UPGRADES OR

REPLACEMENT, IN AND FOR, THE BENEFIT OF THE COUNTY'S REFUSE DISPOSAL DISTRICT NO. 1.

is hereby amended to read as follows:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$170,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO FINANCE A STUDY TO EVALUATE THE MATERIAL RECOVERY FACILITY AND FOUR SOLID WASTE TRANSFER STATIONS FOR BUILDING AND EQUIPMENT UPGRADES OR REPLACEMENT, IN AND FOR, THE BENEFIT OF THE COUNTY'S REFUSE DISPOSAL DISTRICT NO. 1.

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 for a study to evaluate the Material Recovery Facility and four Solid Waste Transfer Stations for building and equipment upgrades or replacement, in and for, the benefit of the County's Refuse Disposal District No. 1, a specific object or purpose, there are hereby authorized to be issued \$300,000 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 \$300,000, and that the plan for the financing thereof is by the issuance of the \$300,000 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 County's Refuse Disposal District No. 1, 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'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 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.

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 Act shall take effect immediately upon approval by the County Executive. No legal notice, as described in Section 81.00 of the Local Finance Law, is required to be published in connection with this Act, as this Act does not increase the amount of bonds previously authorized.



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: \_\_\_\_\_

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 \_\_\_\_\_,  
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 \_\_\_\_\_.

---

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

(CORPORATE  
SEAL

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

Your Committee is in receipt of an amended bond act, prepared by the law firm Norton Rose Fulbright, which would amend Bond Act No. 215-2023, which authorized the County of Westchester (“County”) to issue bonds for design, construction management, and construction for various improvement to transfer stations and the Materials Recovery Facility in and for the County’s Refuse Disposal District No. 1 (“District”) in connection with Capital Project RD017 – Material Recovery Facility and Transfer Station Rehabilitation (“RD017”) by (1) increasing the estimated maximum amount and the amount of bonds authorized for said purpose by \$2,930,000 to \$18,760,000, and (2) representing a consolidation of (i) \$2,800,000 from Act No. 99-2019, plus (ii) \$130,000 from Act No. 85-2020 (“Bond Act Amending 85-2020”).

The Bond Act Amending 215-2023 would authorize \$18,760,000 in bonds of the County to finance the costs of design, construction management and construction costs for various improvements to transfer stations and the Materials Recovery Facility for the District, including, but not limited to, incidental expenses in connection therewith, replacement of new compactors and optical sorters, reconstruction of paper bunkers, rehabilitation of tipping floors, reconstruction of the roof with reinforcement for the potential installation of solar panels.

The Department of Environmental Facilities (“Department”) has advised that the Consolidated Bond Act Amending 215-2023 is necessary to consolidate and reallocate unissued bond authorizations of prior bond act numbers 85-2020 and 99-2019 into 215-2023. Through dedicated efforts to reduce costs where possible, the Refuse and Recycling Division (“Division”) of the Department has realized cost savings in connection with certain bonded projects.

Bond Act 215-2023 authorized financing for facility and processing upgrades at the District Transfer Stations and Material Recovery Facility (“MRF”), for which design is and/or will be undertaken by a consultant, and procurement will be managed in house. The first project expected to be completed under RD017 is the Yonkers transfer station/MRF roofs and related equipment. Design for that component was already has a completed and the Department of Public Works and Transportation is in the process of preparing bid documents. It is estimated that construction will take nine months to complete and will begin after award and execution of the construction contracts.

The Department has further advised that these components of RD017 have previously received financing approval of your Honorable Board, and RD017 has previously received approval by the New York State Comptroller (“Comptroller”) in accordance with Section 268 of the New York State County Law by an Order of the Comptroller dated January 26, 2018.

The Department of Planning has advised your Committee that based on its review, RD017 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.

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

**COMMITTEE ON**

C:MG/10/22/24

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RD017

☐ 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

**AMEND ACT 215-2023 BY ADDING \$2,930,000; REDUCE ACTS 99-2019 AND 85-2020 BY \$2,930,000**

## SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal    \$            18,760,000            PPU    25            Anticipated Interest Rate    3.55%

Anticipated Annual Cost (Principal and Interest):            \$    1,109,536

Total Debt Service (Annual Cost x Term):            \$    27,738,408

Finance Department:    maab 11-8-24

## 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:            204

Prepared by:    Dianne Vanadia

Title:    Associate Budget Director

Department:    Budget

Date:    11/12/2024

Reviewed By: 

Date: 11/12/24

Budget Director

11/13/24

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 25, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
RD017 Material Recovery Facility and Transfer Station Rehabilitation**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on  
09-03-2024 (Unique ID: 2668)

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;
- **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  
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 THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT NO. 215-2023, WHICH PROVIDED FOR THE ISSUANCE OF \$15,830,000 BOND TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT, AND CONSTRUCTION COSTS FOR VARIOUS IMPROVEMENTS TO THE MATERIALS RECOVERY FACILITY AND THRUWAY TRANSFER CENTER IN AND FOR THE COUNTY'S REFUSE DISPOSAL DISTRICT NO. 1, TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$18,760,000 (AN INCREASE OF \$2,930,000) FOR SAID PURPOSE AND CONSOLIDATING A CERTAIN PORTION OF THE AUTHORIZED BONDS FROM ACT NOS. 85-2020 AND 99-2019 HEREIN.

WHEREAS, pursuant to Act No. 215-2023, dated October 16, 2023, the Board previously authorized the issuance of \$15,830,000 bonds to pay the costs of design, construction management, and construction costs for various improvement to District transfer stations and the Materials Recovery Facility, in and for the County's Refuse Disposal District No. 1; and

WHEREAS, approximately \$234,233 obligations have been issued under Act No. 215-2023;

WHEREAS, pursuant to Act No. 85-2020, dated May 18, 2020, the Board previously authorized the issuance of \$300,000 bonds to finance a study to evaluate the Material Recovery Facility and four Solid Waste Transfer Stations for building and equipment upgrades or replacement, in and for, the benefit of the County's Refuse Disposal District No. 1;

WHEREAS, no obligations have been issued under Act No. 85-2020;

WHEREAS, pursuant to Act No. 99-2019, dated June 3, 2019, the Board previously authorized the issuance of \$7,500,000 bonds to finance the cost of the design, construction management, and construction costs of leachate collection facilities at the Yonkers Material Recovery Facility and Transfer Station, in and for, the benefit of the County's Refuse Disposal District No. 1;



WHEREAS, approximately \$4,005,146 obligations have been issued under Act No. 99-2019;

WHEREAS, it has now been determined that the estimated maximum cost and the amount of bonds authorized for the design, construction management, and construction for various improvement to District transfer stations and the Materials Recovery Facility, should now be \$18,760,000 (an increase of \$2,930,000); and

WHEREAS, it has now been determined that it would be beneficial to transfer and consolidate into this bond act a total of \$2,930,000 consisting of (i) \$2,800,000 previously authorized and unencumbered amounts from Act No. 99-2019, and (ii) \$130,000 previously authorized and unused amounts from Act No. 85-2020, and accordingly, by separate bond acts, remove such amounts from such acts; and

WHEREAS, \$18,760,000 has been appropriated in the Capital Budget of the County for the aforesaid class of objects or purposes; and

WHEREAS, the cost of said class of objects or purposes shall be specially assessed against properties in the County's Refuse Disposal District No. 1, which are specially benefitted by said class of objects or purposes; and

NOW, THEREFORE,

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), as follows:

Section (A): The bond act duly adopted by this Board on October 16, 2023 entitled:

ACT NO. 215-2023

A BOND ACT THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT NO. 156-2022, WHICH PROVIDED FOR THE ISSUANCE OF \$1,000,000 BOND TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS FOR VARIOUS IMPROVEMENTS TO THE MATERIALS RECOVERY FACILITY AND THRUWAY TRANSFER CENTER IN AND FOR THE COUNTY'S REFUSE DISPOSAL DISTRICT NO. 1, TO INCLUDE FINANCING FOR CONSTRUCTION COSTS FOR VARIOUS IMPROVEMENTS TO DISTRICT TRANSFER STATIONS

AND THE MATERIALS RECOVERY FACILITY, AND TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$15,830,000 (AN INCREASE OF \$14,830,000) FOR SAID PURPOSE.

is hereby amended to read as follows:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$18,760,000 BONDS TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR VARIOUS IMPROVEMENTS TO DISTRICT TRANSFER STATIONS AND THE MATERIALS RECOVERY FACILITY, IN AND FOR THE COUNTY'S REFUSE DISPOSAL DISTRICT NO. 1.

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, the County previously received approval from the New York State Comptroller ("State Comptroller") in accordance with Section 268 of the County Law by order of the State Comptroller dated January 26, 2018 with respect to the aforesaid purposes; 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 costs of such capital project allocable to the County's Refuse Disposal District No. 1; 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. There are hereby authorized to be issued \$18,760,000 bonds of the County to finance the design, construction management and construction costs for various improvements to District transfer stations and the Materials Recovery Facility, a class of objects or purposes, in and for the County's Refuse Disposal District No. 1, including, but not limited to, incidental expenses in connection therewith, replacement of new compactors and optical sorters,

reconstruction of paper bunkers, rehabilitation of tipping floors, reconstruction of the roof with reinforcement for the potential installation of solar panels. 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 \$18,760,000, and that the plan for the financing thereof is by the issuance of the \$18,760,000 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 twenty-five years pursuant to subdivision six 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 Refuse Disposal District No. 1, 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 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 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.

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 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: \_\_\_\_\_



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 \_\_\_\_\_, 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 \_\_\_\_\_.

\_\_\_\_\_  
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 \_\_\_\_\_ and approved by the County Executive on \_\_\_\_\_ 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. \_\_\_\_\_-2023

A BOND ACT THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT NO. 215-2023, WHICH PROVIDED FOR THE ISSUANCE OF \$15,830,000 BOND TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT, AND CONSTRUCTION COSTS FOR VARIOUS IMPROVEMENTS TO THE MATERIALS RECOVERY FACILITY AND THRUWAY TRANSFER CENTER IN AND FOR THE COUNTY'S REFUSE DISPOSAL DISTRICT NO. 1, TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$18,760,000 (AN INCREASE OF \$2,930,000) FOR SAID PURPOSE AND CONSOLIDATING A CERTAIN PORTION OF THE AUTHORIZED BONDS FROM ACT NOS. 85-2020 AND 99-2019 HEREIN.

class of objects or purposes:	costs of design, construction management and construction costs for various improvements to District transfer stations and the Materials Recovery Facility, in and for the County's Refuse Disposal District No. 1, including, but not limited to, incidental expenses in connection therewith, replacement of new compactors and optical sorters, reconstruction of paper bunkers, rehabilitation of tipping floors, reconstruction of the roof with reinforcement for the potential installation of solar panels
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period of probable usefulness:	twenty-five years
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amount of obligations to be issued:	\$18,760,000
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Dated: \_\_\_\_\_  
White Plains, New York

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



285004032.1

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> <b>RD017</b>	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 08-27-2024
<b>Fact Sheet Year:*</b> 2024	<b>Project Title:*</b> MATERIAL RECOVERY FACILITY AND TRANSFER STATION REHABILITATION	<b>Legislative District ID:</b> 1, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2,
<b>Category*</b> REFUSE DISPOSAL	<b>Department:*</b> ENVIRONMENTAL FACILITIES	<b>CP Unique ID:</b> 2668

### Overall Project Description

This multi-phased project will include, but not be limited to, the design and construction of a leachate collection system for the haulage vehicle "trailer staging area" at the MRF to address the liquid leachate leaking from the trailers in the first phase. The second phase will provide for leachate collection and/or treatment systems at the White Plains and Mt. Vernon transfer stations as directed by the NYSDEC. The third phase will involve the repair of any structural deficiencies identified in a prior structural inspection program and the roof replacements for the MRF and the four (4) Solid Waste Transfer Stations. Also included will be the repair or replacement of the various HVAC, electrical, mechanical and plumbing systems and equipment at the MRF and Transfer Stations.

- |   |   |  |
|---|---|--|
| <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 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
<b>Gross</b>	73,680	27,680	10,000	16,000	0	0	0	20,000
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	73,680	27,680	10,000	16,000	0	0	0	20,000

**Expended/Obligated Amount (in thousands) as of :** 6,261

**Current Bond Description:** Bonding authorization amendment is requested to fund the design, construction management and construction costs for various improvements to the District Transfers Stations and Material Recovery Facility, including, but not limited to incidental expenses in connection therewith, replacement of new compactors and optical sorters, reconstruction of paper bunkers, rehabilitation of tipping floors, reconstruction of the roof with reinforcement for solar.

#### Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	2,930,000
Cash:	0
<b>Total:</b>	<b>\$ 2,930,000</b>

#### SEQR Classification:

TYPE II

#### Amount Requested:

2,930,000

#### Expected Design Work Provider:

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

#### Comments:

#### Energy Efficiencies:

ENERGY EFFICIENCIES TO BE ACHIEVED INCLUDE MAKING ROOFS SOLAR PANEL READY. UPGRADES TO MECHANICAL AND ELECTRICAL SYSTEMS ARE EXPECTED TO RESULT IN ENERGY SAVINGS.

**Appropriation History:**

Year	Amount	Description
2013	450,000	DESIGN AND CONSTRUCTION MANAGEMENT - YONKERS
2014	1,700,000	CONSTRUCTION - YONKERS
2015	5,800,000	FUNDS ADDITIONAL CONSTRUCTION COSTS
2018	6,000,000	DESIGN, CONSTRUCTION MANAGEMENT, CONSTRUCTION
2019	13,730,000	DESIGN, CONSTRUCTION MANAGEMENT, CONSTRUCTION
2024	10,000,000	DESIGN AND CONSTRUCTION OF TRANSFER STATIONS' INFRASTRUCTURE REPLACEMENT AND REHABILITATION

**Total Appropriation History:**

37,680,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
14	58	0	0	LEACHATE COLLECTION SYSTEM - OVERNIGHT HAULAGE VEHICLE STAGING AREA
17	32	0	0	LEACHATE COLLECTION SYSTEM - OVERNIGHT HAULAGE VEHICLE STAGING AREA
19	99	7,500,000	4,005,147	DESIGN/CONSTRUCTION FOR LEACHATE COLLECTION SYSTEM AT MRF IN YONKERS
19	100	0	0	NARROWS SCOPE OF WORK TO DESIGN AND CONSTRUCTION AT WHITE PLAINS TRANSFER STATION ONLY
20	85	300,000	0	COST OF STUDY TO EVALUATE ALL BUILDING SYSTEMS AND EQUIPMENTS AT MATERIAL RECOVERY FACILITY, YONKERS
22	118	4,050,000	630,313	WHITE PLAINS TRANSFER STATION BROCKWAY
22	156	0	0	ROOFS-DESIGN
23	215	15,830,000	234,234	MATERIALS RECOVERY FACILITY AND TRANSFER STATION

**Total Financing History:**

27,680,000

**Recommended By:**

Department of Planning  
MLLL

Date  
09-03-2024

Department of Public Works  
RJB4

Date  
09-05-2024

Budget Department  
DEV9

Date  
09-07-2024

Requesting Department  
MJR9

Date  
09-17-2024

## MATERIAL RECOVERY FACILITY AND TRANSFER STATION REHABILITATION ( RD017 )

**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	73,680	27,680	6,255	10,000	16,000				20,000
Non County Share									
Total	73,680	27,680	6,255	10,000	16,000				20,000

### **Project Description**

This multi-phased project will include, but not be limited to, the design and construction of a leachate collection system for the haulage vehicle "trailer staging area" at the MRF to address the liquid leachate leaking from the trailers in the first phase. The second phase will provide for leachate collection and/or treatment systems at the White Plains and Mt. Vernon transfer stations as directed by the NYSDEC. The third phase will involve the repair of any structural deficiencies identified in a prior structural inspection program and the roof replacements for the MRF and the four (4) Solid Waste Transfer Stations. Also included will be the repair or replacement of the various HVAC, electrical, mechanical and plumbing systems and equipment at the MRF and Transfer Stations.

### **Current Year Description**

The current year request funds design and construction of transfer stations' infrastructure replacement and rehabilitation.

### **Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2024	10,000,000			10,000,000

### **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
2013	450,000	Design and construction management - Yonkers	COMPLETE
2014	1,700,000	Construction - Yonkers	COMPLETE
2015	5,800,000	Funds additional construction costs	COMPLETE
2018	6,000,000	Design, Construction Management, Construction	\$4,900,000 IN PROGRESS; \$1,100,000 AWAITING BOND AUTHORIZATION
2019	13,730,000	Design, Construction Management, Construction	AWAITING BOND AUTHORIZATION
Total	27,680,000		



# MATERIAL RECOVERY FACILITY AND TRANSFER STATION REHABILITATION ( RD017 )

## Prior Appropriations

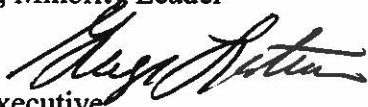
	Appropriated	Collected	Uncollected
Bond Proceeds	27,680,000	3,840,800	23,839,200
<b>Total</b>	<b>27,680,000</b>	<b>3,840,800</b>	<b>23,839,200</b>

## Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
58 14				
32 17				
99 19	7,500,000	12/10/19	398,154	3,659,200
		12/10/19	29,471	
		04/30/20	669,372	
		12/01/21	2,643,072	
		12/01/21	100,731	
100 19				
85 20	300,000			300,000
118 22	4,050,000			4,050,000
156 22				
215 23	15,830,000			15,830,000
<b>Total</b>	<b>27,680,000</b>		<b>3,840,800</b>	<b>23,839,200</b>

December 4, 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: Act – Granting  
Permanent Easements to the City of New York Department of  
Environmental Protection.**

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This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators December 9, 2024 Agenda.

Attached for your consideration is a proposed Act which, if adopted, would authorize the County of Westchester (the “County”) to grant permanent easements (collectively the “Easements”) to the City of New York, acting by and through its Department of Environmental Protection (“NYCDEP”).

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for December 6, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer  
County Executive

December 4, 2024

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

Dear Honorable Members of the Board of Legislators:

Attached for your consideration is a proposed Act which, if adopted, would authorize the County of Westchester (the "County") to grant permanent easements (collectively the "Easements") to the City of New York, acting by and through its Department of Environmental Protection ("NYCDEP") over, under and through five (5) County-owned parcels of real property in Town of Mount Pleasant (collectively the "Properties") so that the NYCDEP can construct, maintain and operate a subsurface water delivery tunnel in connection with the NYCDEP's provision of clean, safe drinking water to residents of the City of New York and Westchester County.

The Departments of Public Works & Transportation and Environmental Facilities (collectively the "Departments") have advised that pursuant to the terms of the Easements, the County would convey to the NYCDEP the perpetual rights to construct, reconstruct, operate, inspect, monitor, repair, protect and maintain a subsurface water tunnel facility and appurtenances that will become a part of the NYCDEP's Kensico-Eastview Connection Tunnel ("KEC Tunnel"). The Easements will be approximately 150 feet wide and encumber approximately 9.4 total acres of various County-owned properties and enable the NYCDEP to construct the KEC Tunnel.

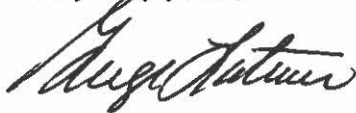
The NYCDEP has advised that the entire KEC Tunnel will be approximately two (2) miles long and will transport clean drinking water from Kensico Reservoir to the Catskill/Delaware Ultraviolet Disinfection Facility ("CDUV Facility") in Mount Pleasant, New York. The NYCDEP has further advised that KEC Tunnel will enhance the redundancy of the New York City water supply system allowing for operational flexibility and planned outages and resulting in increased reliability. In addition, the KEC Tunnel will allow the NYCDEP to transport water to the CDUV Facility at a higher rate of flow and improve the NYCDEP's ability to maintain water surface levels at the Hillview Reservoir in Yonkers within normal operating limits.

The NYCDEP has advised that the increased capacity afforded by the KEC Tunnel will help prepare the NYCDEP for future potential increases in demand from New York City and Westchester County. The water conveyed from the KEC Tunnel will flow from the Kensico Reservoir to the CDUV Facility where it will be disinfected and from there transported to customers in New York City and Westchester County, including, Briarcliff Manor, Sleepy Hollow, Tarrytown, Mount Pleasant, Elmsford, Greenburgh, Irvington, Dobbs Ferry, Hastings-on-Hudson, Ardsely, Yonkers, Mount Vernon, Scarsdale, Eastchester, Bronxville, Tuckahoe, New Rochelle, Mamaroneck, Larchmont, and Pelham.

The Departments have advised that pursuant to the terms of the Easements, the County will reserve the right to use the land within the Properties, from the current ground surface level down to a maximum depth of fifty (50) feet below current ground surface for any lawful activities except for well-drilling or well-improvement activities of any kind, provided and only to the extent that such activities do not interfere with the operation and maintenance of the KEC Tunnel or jeopardize the integrity of the KEC Tunnel. In addition, the easements will require the NYCDEP to repair and restore any damage to the Properties and to defend and indemnify the County in connection with its activities. In consideration of the easements, the NYCDEP will pay the County the fair market value of the Easements, which independent appraisers, Beckmann Appraisals, Inc., has determined to be \$105,160.00.

Based on the necessity of the Easements and KEC Tunnel to Westchester, your favorable action on the annexed Act is most respectfully requested.

Very truly yours,

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

George Latimer  
County Executive

GL/JPI  
Attachments

**HONORABLE BOARD OF LEGISLATORS  
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a transmittal from the County Executive recommending approval of an Act which, if adopted, would authorize the County of Westchester (the “County”) to grant permanent easements (collectively the “Easements”) to the City of New York, acting by and through its Department of Environmental Protection (“NYCDEP”) over, under and through five (5) County-owned parcels of real property in Town of Mount Pleasant (collectively the “Properties”) so that the NYCDEP can construct, maintain and operate a subsurface water delivery tunnel in connection with the NYCDEP’s provision of clean, safe drinking water to residents of the City of New York and Westchester County.

The Departments of Public Works & Transportation and Environmental Facilities (collectively the “Departments”) have advised that pursuant to the terms of the Easements, the County would convey to the NYCDEP the perpetual rights to construct, reconstruct, operate, inspect, monitor, repair, protect and maintain a subsurface water tunnel facility and appurtenances that will become a part of the NYCDEP’s Kensico-Eastview Connection Tunnel (“KEC Tunnel”). The Easements will be approximately 150 feet wide and encumber approximately 9.4 total acres of various County-owned properties and enable the NYCDEP to construct the KEC Tunnel.

Your Committee is advised that the entire KEC Tunnel will be approximately two (2) miles long and will transport clean drinking water from Kensico Reservoir to the Catskill/Delaware Ultraviolet Disinfection Facility (“CDUV Facility”) in Mount Pleasant, New York. The NYCDEP has further advised that KEC Tunnel will enhance the redundancy of the New York City water supply system allowing for operational flexibility and planned outages and resulting in increased reliability. In addition, the KEC Tunnel will allow the NYCDEP to transport water to the CDUV Facility at a higher rate of flow and improve the NYCDEP’s ability to maintain water surface levels at the Hillview Reservoir in Yonkers within normal operating limits.

The NYCDEP has further advised that the increased capacity afforded by the KEC Tunnel will help prepare the NYCDEP for future potential increases in demand from New York City and Westchester County. The water conveyed from the KEC Tunnel will flow from the Kensico Reservoir to the CDUV Facility where it will be disinfected and from there transported to customers in New York City and Westchester County, including, Briarcliff Manor, Sleepy Hollow, Tarrytown, Mount Pleasant, Elmsford, Greenburgh, Irvington, Dobbs Ferry, Hastings-on-Hudson, Ardsely, Yonkers, Mount Vernon, Scarsdale, Eastchester, Bronxville, Tuckahoe, New Rochelle, Mamaroneck, Larchmont, and Pelham.

Your Committee is advised that pursuant to the terms of the Easements, the County will reserve the right to use the land within the Properties, from the current ground surface level down to a maximum depth of fifty (50) feet below current ground surface for any lawful activities except for well-drilling or well-improvement activities of any kind, provided and only to the extent that such activities do not interfere with the operation and maintenance of the KEC Tunnel or jeopardize the integrity of the KEC Tunnel. In addition, the easements will require the NYCDEP to repair and restore any damage to the Properties and to defend and indemnify the County in connection with its activities. In consideration of the easements, the NYCDEP will pay the County the fair market value of the Easements, which independent appraisers, Beckmann Appraisals, Inc., has determined to be \$105,160.00.

As your Honorable Board is aware, no action may be taken with regard to the proposed legislation until the requirements of the State Environmental Quality Review Act ("SEQRA") have been met. The County Department of Planning has advised that, pursuant to SEQRA and its implementing regulations, 6 NYCRR Part 617 (the "SEQRA Regulations"), the NYCDEP served as Lead Agency and issued a Positive Declaration for the project, which requires the preparation of an Environmental Impact Statement ("EIS"). Thereafter, the NYCDEP, as Lead Agency, adopted a positive statement of findings, having found that with the mitigation measures incorporated into the proposed action, there would be no resulting significant adverse impacts. Since the Project was the

subject of a Draft and Final EIS, all involved agencies are required to adopt a written findings statement (“Findings Statement”). To assist your Honorable Board in complying with SEQRA, the Planning Department has prepared a draft Findings Statement for your consideration. Also attached is a proposed Resolution (the “SEQRA Resolution”) that would formalize your Honorable Board’s adoption of the Findings Statement. Your Committee has carefully considered the Findings Statement, which was prepared in accordance with the applicable SEQRA Regulations. Your Committee concurs with the attached Findings Statement and accordingly recommends passage of the annexed SEQRA Resolution prior to enacting the Act authorizing the property exchanges and the sewer easement. The Findings Statement must be adopted by your Honorable Board prior to the approval of the Act.

Your Committee is further advised that pursuant to Section 104.11(2) of the Laws of Westchester County, the attached Act requires an affirmative vote of two-thirds of the members of your Honorable Board to take effect. Your Committee has carefully considered and recommends approval of the proposed Act.

Dated: \_\_\_\_\_, 2024

White Plains, New York

**COMMITTEE ON**

c/JPI 9.30.24



# FISCAL IMPACT STATEMENT

SUBJECT: Grassland Water Tower Property

☒ NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

☐ GENERAL FUND

☐ AIRPORT FUND

☒ SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense

Total Current Year Revenue \$ 20,980

Source of Funds (check one): ☒ Current Appropriations ☐ Transfer of Existing Appropriations

☐ Additional Appropriations

☐ Other (explain)

Identify Accounts: 243-60-5310-5310-9670

Potential Related Operating Budget Expenses:

Annual Amount

Describe:

Potential Related Operating Budget Revenues:

Annual Amount

Describe: BOL Legislation Granting Easement to the NYCDEP

DEF Parcels: 17(next to water tower site \$40.00, 18(water tower property) \$ 20,940.00

Total Amount: \$20,980.00

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: \$20,980.00

Next Four Years: N/A

Prepared by: Sebastian Abraham

Title: Budget Specialist II

Department: Environmental Facilities

Date: October 8, 2024

*WAO*  
Reviewed By:

*[Signature]*  
Budget Director

Date:

10/30/24



# FISCAL IMPACT STATEMENT

SUBJECT: Grassland Water Tower Property

☐ NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense

Total Current Year Revenue \$ 84,180

Source of Funds (check one): ☒ Current Appropriations ☐ Transfer of Existing Appropriations

☐ Additional Appropriations

☐ Other (explain)

Identify Accounts: Revenue: 101-46-3400-3400-9289-GGDS

Potential Related Operating Budget Expenses:

Annual Amount

Describe:

Potential Related Operating Budget Revenues:

Annual Amount

Describe: BOL Legalsation Granting Easement to the NYCDEP

DPW&T parcels: 20, 21 & 22

Total Amount: \$84,180.00

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: \$84,180 Revenue

Next Four Years: N/A

Prepared by: Anthony Finateri

Title: Director of Administrative Svcs

Department: DPW&T

Date: October 25, 2024

Reviewed By:

Budget Director

Date:

10/30/24

## **RESOLUTION \_\_\_\_-2024**

**WHEREAS**, there is pending before the Westchester County Board of Legislators an Act to authorize the County of Westchester to grant permanent easements to the City of New York, acting by and through its Department of Environmental Protection (“NYCDEP”) over, under and through certain County-owned parcels of real property in Town of Mt. Pleasant so that the NYCDEP can construct, maintain and operate a subsurface water delivery tunnel in connection with the NYCDEP’s provision of clean, safe drinking water to residents of the City of New York and Westchester County; and

**WHEREAS**, this Honorable Board has determined that the proposed Act would constitute an action under Article 8 of the Environmental Conservation Law, known as the New York State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, pursuant to SEQRA and its implementing regulations (6 NYCRR Part 617, the “SEQRA Regulations”), no action may be taken with regard to the proposed Act until the requirements of SEQRA have been met; and

**WHEREAS**, in accordance with the SEQRA Regulations, the NYCDEP declared itself as Lead Agency and issued a Positive Declaration for the proposed action on March 3, 2021, requiring the preparation of a Draft Environmental Impact Statement (“EIS”); and

**WHEREAS**, under the direction of the NYCDEP and in accordance with the SEQRA Regulations, public scoping was conducted, a Draft EIS was prepared and accepted on October 19, 2022, a public hearing on the Draft EIS was held on December 7, 2022, and a Final EIS was prepared and accepted on August 16, 2023; and

**WHEREAS**, on August 28, 2023 the NYCDEP, as Lead Agency, adopted a positive statement of findings, in favor of moving forward with the proposed action; and

**WHEREAS**, the Westchester County Board of Legislators, as an involved agency, is required to make a written findings statement pursuant to SEQRA, prior to approving the aforementioned Act; and

**WHEREAS**, the Westchester County Board of Legislators has considered the relevant environmental impacts, facts and conclusions disclosed in the Draft and Final EIS and supporting documentation, and weighed and balanced the relevant environmental impacts with social, economic and other considerations.

**NOW, THEREFORE**, be it resolved by the County Board of Legislators of the County of Westchester, State of New York, as follows:

**RESOLVED**, that the annexed Findings Statement, which sets forth the rationale for the Westchester County Board of Legislators' decision to authorize the County of Westchester to grant permanent easements to the NYCDEP over, under and through certain County-owned parcels of real property in Town of Mt. Pleasant so that the NYCDEP can construct, maintain and operate a subsurface water delivery tunnel in connection with the NYCDEP's provision of clean, safe drinking water to residents of the City of New York and Westchester County, be, and hereby is, adopted by the Board of Legislators; and be it further

**RESOLVED**, the Clerk of the Board of Legislators is authorized and directed to sign the annexed Findings Statement on behalf of this Board, in satisfaction of SEQRA and its implementing regulations; and to immediately transmit same to the Commissioner

of Planning to facilitate it being filed, published and made available as required by the SEQRA Regulations; and be it further

**RESOLVED**, that this Resolution shall take effect immediately.

State Environmental Quality Review  
**Findings Statement**

Pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act) and associated implementing regulations 6 NYCRR Part 617 (SEQR), the County of Westchester, acting by and through its Board of Legislators, as an Involved Agency makes the following findings.

**Name of Action:** Kensico-Eastview Connection Project – County Easements

**Description of Action:** Conveyance of easements over, under and through five County-owned parcels of real property in the Town of Mount Pleasant to the City of New York, acting by and through its Department of Environmental Protection (NYCDEP), so that it can construct, maintain and operate a subsurface water delivery tunnel in connection with the NYCDEP's provision of clean, safe drinking water to residents of the City of New York and the County. The tunnel will be approximately two miles long and will convey water from Kensico Reservoir to the Catskill/Delaware Ultraviolet Disinfection Facility (CDUV Facility). The easements will be 150 feet wide and encumber approximately 9.56 acres of County-owned property.

**Location:** NYCDEP's Kensico Campus at Columbus Avenue and Westlake Drive to the CDUV Facility at Eastview, located on the north side of Grasslands Road (NYS Route 100C), east of Walker Road, in the Town of Mount Pleasant, New York.

Affected County properties include the Corrections complex, maintenance facilities on the west side of the Sprain Brook Parkway and the water tower off Bradhurst Avenue on the east side of the Sprain Brook Parkway.

**Agency Jurisdiction:** Approval of the Westchester County Board of Legislators is required to grant permanent easements that would convey to NYCDEP the perpetual rights to construct, reconstruct, operate, inspect, monitor, repair, protect and maintain a subsurface water tunnel facility and appurtenances across County property that will become a part of the NYCDEP's Kensico-Eastview Connection Tunnel (KEC Tunnel). As such, the County Board of Legislators is considered an "Involved Agency" pursuant to SEQR. NYCDEP, the project sponsor, classified the project as a Type I action and assumed the role of "Lead Agency" in connection with SEQR, following the issuance of a notice to Involved Agencies of its intent to serve as Lead Agency on March 3, 2021.

**Date Final Environmental Impact Statement Filed:** August 16, 2023.

**Facts and Conclusions Relied on to Support the Decision:** See below.

**PROJECT BACKGROUND**

This Findings Statement is based on the following **Kensico–Eastview Connection Project** documents:

- Final Environmental Impact Statement, dated August 2023 (notice of completion date: August 16, 2023)
- NYCDEP Findings, dated August 28, 2023

Greater details of project need, objectives and benefits, as well as analysis of alternatives are as described in the NYCDEP's "Statement of Findings for the Kensico-Eastview Connection Project" and are incorporated into these Findings by reference.

#### PROJECT PURPOSE AND NEED

The New York City Department of Environmental Protection (NYCDEP) provides drinking water to nearly 10 million people, including over half the population of Westchester County. More than 90 percent of New York City's drinking water is supplied by the Catskill and Delaware watersheds located in upstate New York. The Catskill and Delaware aqueducts convey water by gravity from these upstate watersheds to Kensico Reservoir in Westchester County. From there, two aqueducts would convey the water westward toward Eastview, prior to traveling southward to the Hillview Reservoir in Yonkers, where three tunnels would then transport the water into various parts of New York City.

In 2012, NYCDEP completed construction of and put into operation the Catskill/Delaware Ultraviolet Disinfection Facility (CDUV Facility) at Eastview in order to meet the requirements of the United States Environmental Protection Agency's Long Term 2 Enhanced Surface Water Treatment Rule (LT2 Rule). The Delaware Aqueduct was able to connect to the CDUV Facility. The Catskill Aqueduct, however, was not able to connect due to hydraulic grade limitations that prohibited gravitational conveyance. As such, NYCDEP took the section of the Catskill Aqueduct that runs between Kensico Reservoir and Eastview out of service.

NYCDEP conducted a planning study that identified the proposed KEC Tunnel as the preferred alternative to meet several objectives: (1) provide enhanced operational resiliency and redundancy for the water supply system; (2) provide target capacity to the CDUV Facility; (3) preserve the potential for the Catskill Aqueduct to bypass Kensico Reservoir; (4) Facilitate emergency and planned outages; and (5) provide compatibility with future infrastructure projects.

#### PROJECT DESCRIPTION

NYCDEP proposes to construct a new deep rock tunnel from the NYCDEP's Kensico campus on the west side of the Kensico Reservoir to the NYCDEP's CDUV facility on the north side of Grasslands Road at Eastview, a distance of approximately 2 miles. The interior diameter of the new water tunnel will be approximately 27 feet with a 1.5-foot thick cast-in-place concrete lining. It will be constructed within deep rock, with the crown at least 100 feet below ground surface, and will have a gradient of 0.1-3 percent to provide gravity flow. For the most part, the new route will run outside of the New York City-owned property associated with the Catskill Aqueduct. As such, the County will need to grant easements to NYCDEP to construct the new tunnel where the route will cross under County-owned land. The affected properties are:

- Section 117.13 Block 1, Lot 2 (NYCDEP Parcel 17) - Easement of 0.004 out of 3.51 acres;

- Section 117.09, Block 1, Lot 8 (NYCDEP Parcel 18) - Easement of 2.185 out of 12.972 acres;
- Section 116.12, Block 1, Lot 18 (NYCDEP Parcel 20) - Easement of 2.339 out of 16.066 acres;
- Section 116.12, Block 1, Lot 7 (NYCDEP Parcel 21) - Easement of 0.166 acres out of 86.54 acres; and
- Section 116.12, Block 1, Lot 16 (NYCDEP Parcel 22) -Easement of 4.706 out of 4.92 acres.

### IMPACT ANALYSIS

These Findings incorporate by reference the impact assessments found in NYCDEP's Findings with the following additional considerations and analyses relevant to the County.

#### Current Land Use

All of the above parcels are associated with the County's Grasslands/Valhalla Campus, which is comprised of approximately 507 acres and supports a host of public, semi-public and private institutions, including, but not limited to, a medical center, a medical college, a jail and penitentiary, a fire training center, a police academy, labs and research facility, social service facilities, water district facilities, a bus garage, and a drop off center for specific household wastes.

The specific land uses of the affected county properties are as follows:

- Parcels 17 & 18: Developed property containing the water tower for County Water District #3 along with associated equipment and facilities, some lawn and trees.
- Parcel 20: Developed property on the Grasslands campus, containing the Central Heating Plant and other maintenance buildings, paved driveways and parking areas.
- Parcel 21: Northwest corner of Woods Road and Oval Connector, consisting of open space (lawn and a tree).
- Property 22: North end of the County Corrections Facility, containing a fenced vegetable garden, maintenance building, paved internal access roads, parking, portions of a steam pipe (above and below ground) and trees.

While the requested 150-foot wide easement represents a sizable amount of land area, there will be no impacts to the land surface since a tunnel boring machine will be used to create the tunnel deep down beneath the surface. Shafts will be constructed at the two end properties, which are both owned by NYCDEP.

Likewise, there will be no impacts to existing land uses since the County will retain the right to use the land within the tunnel easement area from the ground surface to a maximum depth of 50 feet below ground surface for any lawful activities, except for well-drilling or well-improvement activities, as long as such activities do not interfere with the operation and maintenance of the tunnel or jeopardize the integrity of the tunnel. In addition to no well-drilling or well-improvement activities anywhere within the tunnel easement area, the County will be prohibited from disturbing, excavating or undertaking any activities below 50 feet of the ground surface within the easement area.

No well activities are proposed by the County in this area, which encompasses the County's Grasslands/Valhalla campus and is severed by County Water District (CWD) #3. CWD#3 is supplied with water through a direct connection with NYCDEP Kensico



Reservoir with a backup connection to the Town of Greenburgh water distribution system, which also obtains its water from NYCDEP. However, in order to receive treated water from the CDUV, the County is proposing to construct a new 16-inch water transmission main from the Eastview Water Distribution Chamber, located on the south side of Route 100C to the CWD#3 water tower located on the north side of Bradhurst Avenue. The proposed route of this pipeline will follow existing roads, including Woods Road, where it will cross over both the Catskill and Delaware aqueducts, as well as through the proposed easement area in the vicinity of the Central Heating Plant. There will be no issues between the two water projects since the proposed county transmission main will be installed at a depth of around 6 to 8 feet. While the engineering report for the county transmission main anticipates the need for some rock removal, it is noted that no blasting will be conducted since blasting is not permitted within 100 feet of the City's aqueducts per NYCDEP regulations. The county's project will also abide by NYCDEP's vibration monitoring requirements for rock removal near the aqueducts.

#### Future Land Use

In 2023, the Westchester County Planning Department prepared/released a master plan for the Grasslands/Valhalla campus, entitled *Grasslands Campus Sustainable Master Plan*. Parcels 20, 21 and a portion of 22 are substantially developed and there are no recommendations in the Master Plan regarding these properties that would be impacted by the NYCDEP easement restrictions.

The northeast portion of NYCDEP Parcel 22 bisects some undeveloped land to the west side of the Corrections visitor parking lot. Identified in the Master Plan as part of "Site U6 - Oval South," this area has been identified as a potential site for county facilities, affordable housing and active and passive recreation. The Master Plan notes that the site is currently challenged by the presence of an aboveground steam pipe running across the north side of the property. There are currently no plans for development of this site.

NYCDEP Parcels 17 and 18 are located within the Master Plan's undeveloped site labeled "Site U9-Bradhurst Property." The 48-acre area is largely vacant and has been identified as a potential site for county facilities, affordable housing and passive open space. The Tarrytown-Kensico Trailway, a county initiative to link trails from east to west through the midsection of the county, is proposed to be routed through this property. In addition, the Master Plan notes that a new 3-million-gallon water tower will be needed to meet the needs of the development of the North 60 and NYMC housing, which the Town of Mount Pleasant proposes to be built on the northern portion of the Bradhurst site. The proposed easement crosses in the vicinity of the existing CWD#3 water tower and, as such, is not anticipated to limit any of these other potential uses.

#### Construction Impacts - Noise & Vibrations

The City's environmental review included a noise study, which identified only one area at the Eastview site that would exceed 10 dBA above existing ambient noise, which could impact county facilities. Located on the east side of the CDUV property, these noise impacts would occur during select times of construction and would affect the County's Correctional Facility. From noise modeling, the location of the parking garage between the CDUV facility and the correctional buildings appears to assist in the reduction of noise levels impacting the corrections facility. The highest noise levels predicted at the



corrections complex would be located at the main multi-level building and also the stand-alone building in the northeast area of the complex. These buildings include predominantly inmate housing, as well as support office spaces. According to the EIS, at worst-case, interior noise levels at the inmate housing areas are not predicted to exceed 45 dBA, which is the interior noise threshold set by the U.S. Department of Housing and Urban Development, based on a typical transmission loss of 24dBA for closed double-glazed windows. While not double-glazed, the inmate housing windows are made of detention-grade glass, which are thicker than regular windows and offer similar attenuation. It is noted that such noise levels could occur for select times during construction only. There will be no noise impact to surrounding uses following construction.

Structural Assessments will be conducted for each existing on-site non-residential buildings, underground structures and any historic structures eligible for listing under the National Register of Historic Places to determine sensitivity and establish blasting limitations if necessary. Blast control measures, such as blast mats and enclosures, will be implemented, along with a vibration and noise monitoring program to assist with adjustments. As such, the project is not anticipated to impact existing county structures within the tunneling corridor.

#### County Policies

The proposed project is consistent with the County Planning Department's long-range planning guide, known as *Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning*, adopted by the Planning Board on May 6, 2008, amended January 5, 2010. In particular, it supports Policy 10:

*Maintain utility infrastructure – Maintain safe and environmentally sound systems and policies for waste removal, collection and treatment, as well as the treatment and distribution of drinking water consistent with county's land use policies. Programs to reduce and recycle the waste stream, protect water quality, control and treat storm water and mitigate or reduce the impacts of flooding must be strengthened.*

#### MITIGATION MEASURES

Aside from the mitigation measures already committed to by NYCDEP in its environmental review, no further mitigation measures will be necessary related to the County easements.

#### CONCLUSIONS

Construction of the new water tunnel from Kensico Reservoir to the CUDV facility is critical to ensure an uninterrupted and adequate supply of clean drinking water for millions of City and county residents.

The proposed easements will have no impact on present or anticipated future use of the land by the County, as the County may continue to use the land surface and up to 50 feet below.

Having considered the draft and final Environmental Impact Statement and having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, this Statement of findings certifies that:

- # Westchester County Board of Legislators

Clerk of the Westchester County Board of Legislators

**Address of Agency:**  
**Michaelian Office Building**  
**148 Martine Avenue**  
**White Plains, NY 10601**

**ACT NO. \_\_\_\_\_ - 2024**

**AN ACT** authorizing the County of Westchester to grant permanent easements to the City of New York over, under and through certain real properties in the Town of Mount Pleasant.

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

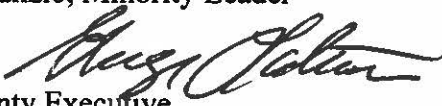
**Section 1.** The County of Westchester (the “County”) is hereby authorized to grant permanent easements to the City of New York, acting by and through its Department of Environmental Protection (“NYCDEP”) over, under and through County-owned parcels of real property in Town of Mount Pleasant so that the NYCDEP can construct, maintain and operate a subsurface water delivery tunnel in connection with the NYCDEP’s provision of clean, safe drinking water to residents of the City of New York and Westchester County.

**§2.** The County Executive or his authorized designee is empowered to execute any and all documents necessary and appropriate to effectuate the purposes hereof.

**§3.** This Act shall take effect immediately.

September 12, 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 – WCC97 – Virginia Marx Children Center.**

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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 16, 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 bonds in the amount of \$326,000 to finance the following capital project: WCC97.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 16, 2024 "blue sheet" calendar.

Thank you for your prompt attention to this matter.



George Latimer  
County Executive

September 6, 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 ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$326,000 to finance the following capital project:

WCC97 – Virginia Marx Children Center ("WCC97").

The Bond Act, in the amount of \$326,000, would finance the County's approximately 50% share of construction of various building system improvements to the Virginia Marx Children Center, including: improvements and upgrades to the HVAC system, generator, controls, as well as replacing the floor tile and actuator valves.

Westchester Community College (the "College") has advised that the Virginia Marx Children Center requires improvements and upgrades in various building systems in order to maintain the operation of comfortable working environments.

The College has advised that the total amount appropriated for WCC97 is \$652,000. This bond request, in the amount of \$326,000, represents the County's 50% share WCC97. The remaining 50% will be funded by New York State.

Following bonding authorization, design will be scheduled and is anticipated to take 24 months to complete. It is estimated that construction will take 24 months to complete and will begin after award and execution of the construction contracts. It is anticipated that the design work will be completed 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 the word "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 a bond act (“Bond Act”) in the amount of \$326,000 to finance capital project WCC97 – Virginia Marx Children Center (“WCC97”). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the County’s approximately 50% share of construction of various building system improvements to the Virginia Marx Children Center, including: improvements and upgrades to the HVAC system, generator, controls, as well as replacing the floor tile and actuator valves.

Westchester Community College (the “College”) has advised that the Virginia Marx Children Center requires improvements and upgrades in various building systems in order to maintain the operation of comfortable working environments.

The College has advised that the total amount appropriated for WCC97 is \$652,000. This bond request, in the amount of \$326,000, represents the County’s 50% share WCC97. The remaining 50% will be funded by New York State.

Following bonding authorization, design will be scheduled and is anticipated to take 24 months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take 24 months to complete and will begin after award and execution of the construction contracts.

The Planning Department has advised your Committee that based on its review, WCC97 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: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

**COMMITTEE ON**

c mg 7-29-24



# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC97

☐ 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 \$ 326,000 PPU 10 Anticipated Interest Rate 2.64%

Anticipated Annual Cost (Principal and Interest): \$ 37,769

Total Debt Service (Annual Cost x Term): \$ 377,691

Finance Department: maab 9-3-24

## SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

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

No Operating impact

## SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 3

Prepared by: Dawn Gillins

Title: Assistant Vice President/Comptroller

Department: WCC

Date: 9/6/24


Reviewed By: 

@ 9/9/24  
DVA/1/24

Budget Director

Date: 9/9/24

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

FROM: David S. Kvinge, AICP, RLA, CFM   
Assistant Commissioner

DATE: August 29, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
WCC97 VIRGINIA MARX CHILDREN CENTER**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 07-16-2024 (Unique ID: 2581)

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.

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

ACT NO. -20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$326,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS BUILDING SYSTEM IMPROVEMENTS TO THE VIRGINIA MARX CHILDREN CENTER; STATING THE ESTIMATED TOTAL COST THEREOF IS \$652,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$326,000 BONDS HEREIN AUTHORIZED, AND THE APPLICATION OF \$326,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted , 20\_\_)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$326,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the construction of various building system improvements to the Virginia Marx Children Center, including: improvements and upgrades to the HVAC system, generator, controls, as well as replacing the floor tile and actuator valves; 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 total cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$652,000. The plan of financing includes the issuance of \$326,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, the levy of a tax to pay the principal of and interest on said bonds, and the application of \$326,000 expected to be received from the State of New York to be expended towards the cost of said class of objects or purposes.

Section 2. The period of probable usefulness of the class of objects or purposes for which said \$326,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a.13 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 total amount of \$652,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$652,000 as the estimated total cost of the aforesaid class of objects or purposes is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties

of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect not earlier than \_\_\_\_\_, 20\_\_ and in accordance with Section 107.71 of the Westchester County Charter.

\* \* \*

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20\_\_\_ with the original on file in my office, and that the same is a correct transcript therefrom and of the whole of the said original Act, which was duly adopted by the County Board of Legislators of the County of Westchester on \_\_\_\_\_, 20\_\_\_ and approved by the County Executive on \_\_\_\_\_, 20\_\_\_.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_.

(SEAL)                                   The Clerk and Chief Administrative Office 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 amended Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

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

BOND ACT AUTHORIZING THE ISSUANCE OF \$326,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS BUILDING SYSTEM IMPROVEMENTS TO THE VIRGINIA MARX CHILDREN CENTER; STATING THE ESTIMATED TOTAL COST THEREOF IS \$652,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$326,000 BONDS HEREIN AUTHORIZED, AND THE APPLICATION OF \$326,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES; 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 construction of various building system improvements to the Virginia Marx Children Center, including: improvements and upgrades to the HVAC system, generator, controls, as well as replacing the floor tile and actuator valves; 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: \$326,000; 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

<b>Project ID:*</b> WCC97	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 07-05-2024
<b>Fact Sheet Year:*</b> 2024	<b>Project Title:*</b> VIRGINIA MARX CHILDREN CENTER	<b>Legislative District ID:</b> 3,
<b>Category*</b> WCC - BUILDINGS	<b>Department:*</b> COMMUNITY COLLEGE	<b>CP Unique ID:</b> 2581

### Overall Project Description

The Virginia Marx Children Center was constructed in 1996 and has 11,833 sq ft. The center provides infant, toddler, and pre-school children's programs. This Virginia Marx Children Center project will address upgrades and replacements.

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

### FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2024-25	2025-26	2026-27	2027-28	2028-29	Under Review
<b>Gross</b>	652	652	0	0	0	0	0	0
<b>Less Non-County Shares</b>	326	326	0	0	0	0	0	0
<b>Net</b>	326	326	0	0	0	0	0	0

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

**Current Bond Description:** Current bonding approval is necessary to fund the County's 50% share of \$652,000 for this Virginia Marx Children Center Project. This project will address the interior of the Virginia Marx Children Center, which is showing signs of deterioration and has leaks throughout the building. Some systems require upgrades and/or replacements: HVAC, generator, controls, and energy related upgrades are recommended, as well as replacing the floor tile and actuator valves.

### Financing Plan for Current Request:

Non-County Shares:	\$ 326,000
Bonds/Notes:	326,000
Cash:	0
<b>Total:</b>	<b>\$ 652,000</b>

### SEQR Classification:

TYPE II

### Amount Requested:

326,000

### Expected Design Work Provider:

- ☐ County Staff
 ☒ Consultant
 ☐ Not Applicable

### Comments:

The amount appropriated for this project is \$652,000. This bonding requests is in the amount of \$326,000 and represents the County's 50% share of approved Capital Project WCC97 Virginia Marx Children Center. The state has approved funding on the remaining 50%.

### Energy Efficiencies:

HVAC

**Appropriation History:**

Year	Amount	Description
2024	652,000	VIRGINIA MARX CHILDREN CENTER

**Total Appropriation History:**  
652,000

**Total Financing History:**  
0

**Recommended By:**

<b>Department of Planning</b>	<b>Date</b>
MLLL	07-16-2024

<b>Department of Public Works</b>	<b>Date</b>
RJB4	07-17-2024

<b>Budget Department</b>	<b>Date</b>
DEV9	07-18-2024

<b>Requesting Department</b>	<b>Date</b>
DAGX	07-19-2024

# Westchester County

George Latimer  
County Executive

September 6, 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 bonds in the amount of \$2,100,000 to finance a component the following capital project:

WCC82 – Site Upgrade Campus Wide ("WCC82").

The Bond Act, in the amount of \$2,100,000, would finance the County's 50% share of a portion of the Site Upgrade - Campus Wide project. This portion includes the north section of the campus, encompassing the Gateway Center, Administration Building, Hartford Hall Building, Parking Lot 1, as well as the Hartford Hall Building entrance and the Administration/Gateway Center Loop. The site work to be performed will include re-paving 140,000 square feet of parking as well as improvements to the storm drainage, site lighting, signage walkways and landscaping and car charging stations. The amount appropriated for this portion of WCC82 is \$4,200,000, of which 50% (\$2,100,000) will be funded by the State of New York and 50% by the County.

The College has advised that the work is required because the facilities have exceeded their useful life and have deteriorated with age and use.

Following receipt by the College of New York State funds and County bonding authorization, design will be scheduled and is anticipated to take twenty-four (24) months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take twenty-four (24) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized bonding in connection with WCC82 as indicated in the annexed fact sheet.

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

Office of the County Executive  
Michaelian Office Building  
148 Martine Avenue  
White Plains, New York 10601

Telephone: (914) 995-2900 E-mail: [ceo@westchestergov.com](mailto:ceo@westchestergov.com)

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester ("County") of a bond act ("Bond Act") in the amount of \$2,100,000 to finance a component of capital project WCC82 – Site Upgrade Campus Wide ("WCC82"). The Bond Act, which was prepared by the law firm of Hawkins, Delafield & Wood, LLP, will finance the County's 50% share of a portion of the Site Upgrade - Campus Wide project. This portion includes the north section of the campus, encompassing the Gateway Center, Administration Building, Hartford Hall Building, Parking Lot 1, as well as the Hartford Hall Building entrance and the Administration/Gateway Center Loop.

Your Committee is advised that the site work for this component of WCC82 will include re-paving 140,000 square feet of parking as well as improvements to the storm drainage, site lighting, signage walkways, landscaping and car charging stations. The amount appropriated for this portion of WCC82 is \$4,200,000, of which 50% (\$2,100,000) will be funded by the State of New York and 50% by the County.

The College has advised that this phase is necessary because the facilities have exceeded their useful life and have deteriorated with age and use.

Following receipt by the College of New York State funds and County bonding authorization, design will be scheduled and is anticipated to take twenty-four (24) months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take twenty-four (24) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized bonding in connection with WCC82 as indicated in the annexed fact sheet.

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/8-14-24

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC82

☐ 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 \$ 2,100,000 PPU 10 Anticipated Interest Rate 2.55%

Anticipated Annual Cost (Principal and Interest): \$ 242,133

Total Debt Service (Annual Cost x Term): \$ 2,421,325

Finance Department: maab 9-10-24

## SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations  
(describe in detail for current and next four years):

No Operating Impact

## SECTION D - EMPLOYMENT

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

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

Prepared by: Dawn Gillins

Title: Assistant Vice President/Comptroller

Department: WCC

Date: 9/13/24

Reviewed By: 

Budget Director

Date: 9/13/24



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

FROM: David S. Kvinge, AICP, RLA, CFM  
Assistant Commissioner



DATE: August 27, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
WCC82 SITE UPGRADE – CAMPUS WIDE**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on  
08-14-2024 (Unique ID: 2575)

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;
- **617.5(c)(3):** retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure;
- **617.5(c)(9):** construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities.

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**COMMENTS:** While the overall scope is rehabilitation and replacement in kind, some new features will be incorporated to lessen impacts on the environment, including the installation of electric vehicle charging stations to reduce the carbon footprint. It is anticipated that only minor infrastructure upgrades would be necessary, none of which that will exceed a threshold that would bump the project into the Unlisted or Type I category. If more work is required than anticipated, further environmental review will be conducted following design and prior to awarding the contract for construction. Incorporation of “green infrastructure,” as defined by 617.2(r), to reduce stormwater impacts from these existing facilities will also be evaluated and incorporated, to the extent practical, during the design process.

DSK/cnm

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Dawn Gillins, Westchester Community College  
Blanca Lopez, Commissioner  
Dianne Vanadia, Associate Budget Director  
Susan Darling, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Principal Environmental Planner



ACT NO. - 20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,100,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE WESTCHESTER COMMUNITY COLLEGE SITE UPGRADE-CAMPUS WIDE PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,100,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$2,100,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20\_\_)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$2,100,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the Westchester Community College Site Upgrade-Campus Wide Project, which includes the north section of the campus, encompassing the Gateway Center, Administration Building, Hartford Hall Building, Parking Lot 1 as well as the Hartford Hall Building entrance and the Administration/Gateway Center Loop. The

site work includes re-paving 140,000 sf of parking as well as improvements to the storm drainage, site lighting, signage walkways and landscaping and car charging stations; 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$4,200,000. The plan of financing includes the issuance of \$2,100,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the levy of a tax to pay the principal of and interest on said bonds and notes, and the application of \$2,100,000 expected to be received from the State of New York to be expended towards the cost of said object or purpose or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the object or purpose for which said \$2,100,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 20(f) 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 \$2,100,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$4,200,000 as the estimated total cost of the aforesaid object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

\* \* \*

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 \$2,100,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE WESTCHESTER COMMUNITY COLLEGE SITE UPGRADE-CAMPUS WIDE PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,100,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$2,100,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted \_\_\_\_\_, 20\_\_)

object or purpose:

to finance the Westchester Community College Site Upgrade-Campus Wide Project, which includes the north section of the campus, encompassing the Gateway Center, Administration Building, Hartford Hall Building, Parking Lot 1 as well as the Hartford Hall Building entrance and the Administration/Gateway Center Loop. The site work includes repaving 140,000 sf of parking as well as improvements to the storm drainage, site lighting, signage walkways and landscaping and car charging stations; 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:

\$2,100,000; 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

<b>Project ID:*</b> WCC82	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 07-05-2024
<b>Fact Sheet Year:*</b> 2024	<b>Project Title:*</b> SITE UPGRADE - CAMPUS WIDE	<b>Legislative District ID:</b> 3,
<b>Category*</b> WCC - BUILDINGS	<b>Department:*</b> COMMUNITY COLLEGE	<b>CP Unique ID:</b> 2575

### Overall Project Description

This campus wide project will address parking lot issues and site improvements throughout the campus. This project will focus on parking and general site improvements throughout the surrounding buildings on campus.

- |   |   |  |
|---|---|--|
| <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	2024-25	2025-26	2026-27	2027-28	2028-29	Under Review
<b>Gross</b>	17,049	8,131	0	4,200	4,718	0	0	0
<b>Less Non-County Shares</b>	8,524	4,065	0	2,100	2,359	0	0	0
<b>Net</b>	8,525	4,066	0	2,100	2,359	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 2,331

**Current Bond Description:** Current bonding approval is necessary to fund the County's 50% share of this portion of the Site Upgrade - Campus Wide project. This includes the north section of the campus, encompassing the Gateway Center, Administration Building, Hartford Hall Building, Parking Lot 1 as well as the Hartford Hall Building entrance and the Administration/Gateway Center Loop. The site work includes re-paving 140,000 sf of parking as well as improvements to the storm drainage, site lighting, signage walkways and landscaping and car charging stations.

#### Financing Plan for Current Request:

Non-County Shares:	\$ 2,100,000
Bonds/Notes:	2,100,000
Cash:	0
<b>Total:</b>	<b>\$ 4,200,000</b>

### SEQR Classification:

TYPE II

### Amount Requested:

2,100,000

### Expected Design Work Provider:

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

### Comments:

The amount appropriated for this portion is \$4,200,000. The bonding request in the amount of \$2,100,000 represents the County's 50% share of approved Capital Project WCC82 - Site Upgrade Campus Wide. New York State has approved funding on the remaining 50%.

### Energy Efficiencies:

LIGHTING WILL BE ENERGY EFFICIENT.

**Appropriation History:**

Year	Amount	Description
2015	1,626,000	AREAS ONE PARKING LOT IMPROVEMENTS
2017	751,000	AREA TWO PARKING LOT IMPROVEMENTS
2019	862,000	AREA THREE PARKING LOT IMPROVEMENTS
2021	392,000	AREA FOUR PARKING LOT IMPROVEMENTS
2023	300,000	AREA FOUR PARKING LOT IMPROVEMENTS ADDITIONAL
2024	4,200,000	AREA FOUR PARKING LOT IMPROVEMENTS ADDITIONAL

**Total Appropriation History:**

8,131,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
16	345	813,000	813,000	PARKING LOT AND RELATED SITE IMPROVEMENTS
19	232	376,000	242,945	WCC CONSTRUCTION OF PARKING LOT FACILITIES AND RELATED SITE IMPROVEMENTS
21	140	431,000	0	STUDENT CENTER & PE , LOTS 9 & 10, CAMPUS LOOP ETC
23	34	196,000	0	SITE UPGRADE CAMPUS WIDE
23	189	150,000	0	SITE UPGRADE CAMPUS WIDE

**Total Financing History:**

1,966,000

**Recommended By:**

Department of Planning  
MLLL

Date  
08-14-2024

Department of Public Works  
RJB4

Date  
08-14-2024

Budget Department  
DEV9

Date  
08-14-2024

Requesting Department  
DAGX

Date  
08-14-2024





George Latimer  
County Executive

September 4, 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 ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$750,000 to finance a component of the following capital project:

WCC87 – Classroom Building Renovation ("WCC87").

The Bond Act, in the amount of \$750,000, would finance the County's approximately 50% share of the cost of planning and design associated with the Westchester Community College ("College") Classroom Building Renovation Project. The College Classroom Building Renovation Project will address mechanical, acoustic, and lighting issues at the College's Classroom Building. The renovation project also includes exterior door replacement as well as classroom, toilet room, and corridor finishes. Approximately 18,000 sq. feet of classroom, class lab, and support space will be renovated in the College Classroom Building to provide updated space for the School of Business and Professional Careers.

The College has advised that the planning and design phase of WCC87 will consist of hiring professional architectural and engineering firms for design services associated with project services. Design services shall include preparing construction contract documents (drawings and specifications), construction cost estimates, bid analysis, preparation of any addenda if required, and recommendation to award the construction contracts. Design services will also be provided during construction consisting of shop drawing and submittal review, attendance at project meetings, periodic site visits, and preparation of as-built drawings. Site development will include provisions for temporary facilities, clearing of the site, general grading, walkways, geothermal fields (where applicable) site accessories, landscaping and site lighting.

The College has advised that the total amount appropriated for Phase 1 of WCC87 is \$1,500,000. This bond request, in the amount of \$750,000, represents the County's 50% share of this phase of the project. The remaining 50% will be funded by New York State.

Following receipt by the College of New York State funds and County bonding authorization, design will be scheduled and is anticipated to take twenty-four (24) months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take twenty-four months to complete and will begin after award and execution of the 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 cursive script, appearing to read "George Latimer".

George Latimer  
Westchester County Executive

GL/DG/cmc/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 (“Bond Act”) in the amount of \$750,000 to finance a component of capital project WCC87 – Classroom Building Renovation (“WCC87”). The Bond Act, which was prepared by the law firm Harris Beach, PLLC, will finance the County’s approximately 50% share of the cost of planning and design associated with the Westchester Community College (“College”) Classroom Building Renovation Project. The College Classroom Building Renovation Project will address mechanical, acoustic, and lighting issues at the College’s Classroom Building. The renovation project also includes exterior door replacement as well as classroom, toilet room, and corridor finishes. Approximately 18,000 sq. feet of classroom, class lab, and support space will be renovated in the College Classroom Building to provide updated space for the School of Business and Professional Careers.

The College has advised that the planning and design phase of WCC87 will consist of hiring professional architectural and engineering firms for design services associated with project services. Design services shall include preparing construction contract documents (drawings and specifications), construction cost estimates, bid analysis, preparation of any addenda if required, and recommendation to award the construction contracts. Design services will also be provided during construction consisting of shop drawing and submittal review, attendance at project meetings, periodic site visits, and preparation of as-built drawings. Site development will include provisions for temporary facilities, clearing of the site, general grading, walkways, geothermal fields (where applicable) site accessories, landscaping and site lighting.

The College has advised that the total amount appropriated for Phase I of WCC87 is \$1,500,000. This bond request, in the amount of \$750,000, represents the County’s 50% share of this phase of the project. The remaining 50% will be funded by New York State.

Following receipt by the College of New York State funds and bonding authorization, design will be scheduled and is anticipated to take twenty-four (24) months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take

twenty-four (24) months to complete and will begin after award and execution of the construction contracts.

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

It should be noted that an affirmative vote of two-thirds of the members of 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/cmc/9-04-2024

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC87

☐ 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 \$ 750,000 PPU 5 Anticipated Interest Rate 2.40%

Anticipated Annual Cost (Principal and Interest): \$ 162,626

Total Debt Service (Annual Cost x Term): \$ 813,131

Finance Department: maab 9-10-24

## SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations  
(describe in detail for current and next four years):

No Operating Impact

## SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 8

Prepared by: Dawn Gillins

Title: Assistant Vice President/Comptroller

Department: WCC

Date: 9/13/24

Reviewed By:

*pv9/13/24*  
*9/13/24*


*[Signature]*  
Budget Director

Date:

*9/13/24*



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

FROM: David S. Kvinge, AICP, RLA, CFM   
Assistant Commissioner

DATE: August 6, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
WCC87 CLASSROOM BUILDING RENOVATION**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on  
07-16-2024 (Unique ID: 2576)

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 planning and design only.

DSK/cnm

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Lawrence Soule, Budget Director  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Dawn Gillins, Westchester Community College  
Dianne Vanadia, Associate Budget Director  
Susan Darling, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Principal Environmental Planner

ACT NO. -20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PLANNING FOR IMPROVEMENTS TO THE CLASSROOM BUILDING AT THE WESTCHESTER COMMUNITY COLLEGE CAMPUS; STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$1,500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$750,000 BONDS HEREIN AUTHORIZED TO FINANCE THE COUNTY'S SHARE OF SUCH COST AND THE APPLICATION OF \$750,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TOWARDS THE COST OF SAID OBJECTS OR PURPOSES; 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 Third-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, \$750,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the planning for improvements to the classroom building at the Westchester Community College Campus; 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$1,500,000. The plan of financing includes the issuance of \$750,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the application of \$750,000 expected to be received from the State of New York to be expended towards the cost of said objects or purposes, and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued, within the limitations of Section 11.00 a. 62(2<sup>nd</sup>) 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 \$750,000. 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 \$750,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PLANNING FOR IMPROVEMENTS TO THE CLASSROOM BUILDING AT THE WESTCHESTER COMMUNITY COLLEGE CAMPUS, STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$1,500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$750,000 BONDS HEREIN AUTHORIZED TO FINANCE THE COUNTY'S SHARE OF SUCH COST AND THE APPLICATION OF \$750,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TOWARDS THE COST OF SAID OBJECTS OR PURPOSES; 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 planning for improvements to the classroom building at the Westchester Community College Campus; at the estimated maximum cost of \$1,500,000; 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:           \$750,000; 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:\*

WCC87

Fact Sheet Year:\*

2024

Category\*

WCC - BUILDINGS

☐ CBA

Project Title:\*

CLASSROOM BUILDING RENOVATION

Department:\*

COMMUNITY COLLEGE

Fact Sheet Date:\*

07-05-2024

Legislative District ID:

3,

CP Unique ID:

2576

Overall Project Description

This Classroom Building Renovation project addresses mechanical, acoustic, and lighting issues. The renovation also includes exterior door replacement as well as classroom, toilet room, and corridor finishes. Approximately 18,000 sq feet of classroom, class lab, and support space will be renovated in the classroom building to provide updated space for the School of Business and Professional Careers.

☒ Best Management Practices

☒ Energy Efficiencies

☒ Infrastructure

☐ Life Safety

☐ Project Labor Agreement

☐ Revenue

☐ Security

☐ Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2024-25	2025-26	2026-27	2027-28	2028-29	Under Review
Gross	9,853	1,500	8,353	0	0	0	0	0
Less Non-County Shares	4,926	750	4,176	0	0	0	0	0
Net	4,927	750	4,177	0	0	0	0	0

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

Current Bond Description:

Current bonding approval pf \$750,000 is necessary to fund the County's 50% share of this planning and design portion - phase I of the Classroom Renovation project.

Financing Plan for Current Request:

Non-County Shares:

\$ 750,000

Bonds/Notes:

750,000

Cash:

0

Total:

\$ 1,500,000

SEQR Classification:

TYPE II

Amount Requested:

750,000

Expected Design Work Provider:

☐ County Staff

☒ Consultant

☐ Not Applicable

Comments:

The amount appropriated for this planning and design Phase is \$1,500,000. This bonding request in the amount of \$750,000 represents the County's 50% share of approved Capital Project WCC87 - Classroom Building Renovation. New York State has approved funding on the remaining 50%.

Energy Efficiencies:

LIGHTING WILL BE ENERGY EFFICIENT.

01-10-2025 11:27:45 AM

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Page 1 of 2

**Appropriation History:**

Year	Amount	Description
2024	1,500,000	CLASSROOM BUILDING RENOVATION PH 1

**Total Appropriation History:**  
1,500,000

**Total Financing History:**  
0

**Recommended By:**

<b>Department of Planning</b>	<b>Date</b>
MLLL	07-16-2024

<b>Department of Public Works</b>	<b>Date</b>
RJB4	07-17-2024

<b>Budget Department</b>	<b>Date</b>
DEV9	07-18-2024

<b>Requesting Department</b>	<b>Date</b>
DAGX	07-19-2024

# Westchester County

George Latimer  
County Executive

September 6, 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 bonds in the amount of \$864,000 to finance a component of the following capital project:

WCC88 – Maintenance Building Infrastructure Upgrade ("WCC88").

The Bond Act, in the amount of \$864,000, would finance the County's 50% share of the cost of Phase III of the Maintenance Building Infrastructure Upgrade project at the Westchester Community College ("College") campus. Phase III will address the renovation of Maintenance Building III, which was constructed in 1933, is 24,459 sq. ft. in area, and houses the physical plant, facilities and receiving departments. The College has advised that this phase is necessary because the facility has exceeded its useful life and has deteriorated with age and use.


The College has advised that the total amount appropriated for Phase III of WCC88 is \$1,728,000. This bond request, in the amount of \$864,000, represents the County's 50% share of this phase of the project. The remaining 50% will be funded by New York State.

Following receipt by the College of New York State funds and County bonding authorization, design will be scheduled and is anticipated to take twenty-four (24) months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take twenty-four (24) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized bonding for the initial phase of this project as set forth in the attached fact sheet

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

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester ("County") of a bond act ("Bond Act") in the amount of \$864,000 to finance a component of capital project WCC88 – Maintenance Building Infrastructure Upgrade ("WCC88"). The Bond Act, which was prepared by the law firm Harris Beach, PLLC, will finance the County's 50% share of Phase III of the Maintenance Building Infrastructure Upgrade Project at the Westchester Community College ("College") campus. Phase III will address the renovation of Maintenance Building III, which was constructed in 1933, is 24,459 sq. ft. in area, and houses the physical plant, facilities and receiving departments. The College has advised that this phase is necessary because the facility has exceeded its useful life and has deteriorated with age and use.

The College has advised that the total amount appropriated for this phase of WCC88 is \$1,728,000. This bond request, in the amount of \$864,000, represents the County's 50% share of this component of the project. The remaining 50% will be funded by New York State.

Following receipt by the College of New York State funds and bonding authorization, design will be scheduled and is anticipated to take twenty-four (24) months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take twenty-four (24) months to complete and will begin after award and execution of the construction contracts.

The Planning Department has advised your Committee that based on its review, WCC88 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/7-24-24

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC88

☐ 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 \$ 864,000 PPU 15 Anticipated Interest Rate

Anticipated Annual Cost (Principal and Interest): \$ 71,124 2.76205

Total Debt Service (Annual Cost x Term): \$ 1,066,854

Finance Department: maab 9-10-24

## SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations  
(describe in detail for current and next four years):

\_\_\_\_\_  
\_\_\_\_\_

## SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 9

Prepared by: Dawn Gillins

Title: Assistant Vice President/Comptroller

Department: WCC

Date: 9/13/24

Reviewed By: 

Budget Director

Date: 9/13/24

9/12/24

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

FROM: David S. Kvinge, AICP, RLA, CFM  
Assistant Commissioner



DATE: August 29, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
WCC88 MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on  
07-26-2024 (Unique ID: 2577)

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.

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

ACT NO. -20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$864,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE PROJECT PHASE III AT THE WESTCHESTER COMMUNITY COLLEGE CAMPUS; STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$1,728,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$864,000 BONDS HEREIN AUTHORIZED TO FINANCE THE COUNTY'S SHARE OF SUCH COST AND THE APPLICATION OF \$864,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TOWARDS THE COST OF SAID OBJECTS OR PURPOSES; 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 Third-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, \$864,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the Maintenance Building Infrastructure Upgrade Project Phase III at the Westchester Community College campus,

including renovation of the Maintenance Building III; 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$1,728,000. The plan of financing includes the issuance of \$864,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the application of \$864,000 expected to be received from the State of New York to be expended towards the cost of said objects or purposes, and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The existing building is of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued, within the limitations of Section 11.00 a. 12.(a)(2) 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 \$864,000. 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 \$864,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE PROJECT PHASE III AT THE WESTCHESTER COMMUNITY COLLEGE CAMPUS, STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$1,728,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$864,000 BONDS HEREIN AUTHORIZED TO FINANCE THE COUNTY'S SHARE OF SUCH COST AND THE APPLICATION OF \$864,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TOWARDS THE COST OF SAID OBJECTS OR PURPOSES; 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 Maintenance Building Infrastructure Upgrade Project Phase III at the Westchester Community College campus, including renovation of the Maintenance Building III; at the estimated maximum cost of \$1,728,000; 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: \$864,000; 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

<b>Project ID:*</b> WCC88	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 07-05-2024
<b>Fact Sheet Year:*</b> 2024	<b>Project Title:*</b> MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE	<b>Legislative District ID:</b> 3,
<b>Category*</b> WCC - BUILDINGS	<b>Department:*</b> COMMUNITY COLLEGE	<b>CP Unique ID:</b> 2577

### Overall Project Description

The Maintenance Building 3 was constructed in 1933 at 24,459 sq. ft. and houses the physical plant, facilities and receiving departments. The Maintenance Building III will be renovated in this phase, including exterior vinyl siding, single pane windows, roll-up doors, passage doors, VAT & Carpeting.

- |   |   |  |
|---|---|--|
| <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 type="checkbox"/> Security                             | <input type="checkbox"/> Other                          |  |

### FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2024-25	2025-26	2026-27	2027-28	2028-29	Under Review
<b>Gross</b>	4,458	4,458	0	0	0	0	0	0
<b>Less Non-County Shares</b>	2,229	2,229	0	0	0	0	0	0
<b>Net</b>	2,229	2,229	0	0	0	0	0	0

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

**Current Bond Description:** The Maintenance Building Upgrade Project Phase III is in the amount of \$1,728,000. Current bonding approval is necessary to fund the County's 50% share of this initial phase of the Maintenance Building Infrastructure Upgrade project. This phase addresses the renovation of the Maintenance Building III.

#### Financing Plan for Current Request:

Non-County Shares:	\$ 864,000
Bonds/Notes:	864,000
Cash:	0
<b>Total:</b>	<b>\$ 1,728,000</b>

### SEQR Classification:

TYPE II

### Amount Requested:

864,000

### Expected Design Work Provider:

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

### Comments:

The amount appropriated for this Maintenance Building III Renovation phase is \$1,728,000. This bonding request is in the amount of \$864,000 and represents the County's 50% share of phase III approved Capital Project WCC88 - Maintenance Building Infrastructure Upgrade. New York State has approved funding on the remaining 50%.

### Energy Efficiencies:

**Appropriation History:**

Year	Amount	Description
2021	708,000	MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE PH I
2023	2,022,000	MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE PH II
2024	1,728,000	MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE PH III

**Total Appropriation History:**

4,458,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
22	26	354,000	0	MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE
23	190	1,011,000	0	MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE

**Total Financing History:**

1,365,000

**Recommended By:****Department of Planning**

MLLL

**Date**

07-26-2024

**Department of Public Works**

RJB4

**Date**

07-30-2024

**Budget Department**

DEV9

**Date**

07-31-2024

**Requesting Department**

DAGX

**Date**

08-01-2024



George Latimer  
County Executive

September 6, 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 ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$4,186,000 to finance a component of the following capital project:

WCC89 – Administration Building Expansion/Renovation ("WCC89").

The Bond Act, in the amount of \$4,186,000, would finance the County's approximately 50% share of the cost of planning and design associated with the expansion/renovation of the Administration Building at Westchester Community College ("College").

The College has advised that the planning phase of WCC89 will consist of hiring professional architectural and engineering firms for project services. The consultants shall provide design services associated with project services. Design services shall include preparing construction contract documents (drawings and specifications), construction cost estimates, bid analysis, preparation of any addenda if required, and recommendation to award the construction contracts. In addition, the consultant shall provide design services during construction consisting of shop drawing and submission review, attendance at project meetings, periodic site visits, and preparation of as-built drawings.

The College has advised that the total amount appropriated for this phase of WCC89 is \$8,371,000. This bond request, in the amount of \$4,186,000, represents the County's 50% share of this phase of the project. The remaining 50% will be funded by New York State.

Following receipt by the College of New York State funds and bonding authorization, design will be scheduled and is anticipated to take twenty-four (24) months to complete and will be performed by outside consultants. It is estimated that construction will take twenty-four (24) months to complete and will begin after award and execution of the construction contracts, subject to your Honorable Board's further approval of construction funding.

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  
Westchester County Executive

GL/DG/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 ("Bond Act") in the amount of \$4,186,000 to finance a component of capital project WCC89 – Administration Building Expansion/Renovation ("WCC89"). The Bond Act, which was prepared by the law firm Harris Beach, PLLC, will finance the County's approximately 50% share of the cost of planning and design associated with the expansion/renovation of the Administration Building at Westchester Community College ("College").

The College has advised that the planning phase of WCC89 will consist of hiring professional architectural and engineering firms for project services. The consultants shall provide design services associated with project services. Design services shall include preparing construction contract documents (drawings and specifications), construction cost estimates, bid analysis, preparation of any addenda if required, and recommendation to award the construction contracts. In addition, the consultant shall provide design services during construction consisting of shop drawing and submission review, attendance at project meetings, periodic site visits, and preparation of as-built drawings.

The College has advised that the total amount appropriated for this phase of WCC89 is \$8,371,000. This bond request, in the amount of \$4,186,000, represents the County's 50% share of this phase of the project. The remaining 50% will be funded by New York State.

Following receipt by the College of New York State funds and bonding authorization, design will be scheduled and is anticipated to take twenty-four (24) months to complete and will be performed by outside consultants. It is estimated that construction will take twenty-four (24) months to complete and will begin after award and execution of the construction contracts, subject to your Honorable Board's further approval of construction funding.

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\8-15-24



# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC89

☐ 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 \$ 4,186,000 PPU 5 Anticipated Interest Rate 2.40%

Anticipated Annual Cost (Principal and Interest): \$ 907,670

Total Debt Service (Annual Cost x Term): \$ 4,538,352

Finance Department: maab 9-10-24

## SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations  
(describe in detail for current and next four years):

No Operating Impact

## SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 45

Prepared by: Dawn Gillins

Title: Assistant Vice President/Comptroller

Department: WCC

Date: 9/13/24

Reviewed By: 

Budget Director


Date: 9/13/24





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: August 27, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
WCC89 ADMINISTRATION BUILDING EXPANSION/RENOVATION**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on  
08-14-2024 (Unique ID: 2580)

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.

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**COMMENTS:** None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Lawrence Soule, Budget Director  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Dawn Gillins, Westchester Community College  
Dianne Vanadia, Associate Budget Director  
Susan Darling, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Principal Environmental Planner

ACT NO. -20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$4,186,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PLANNING FOR IMPROVEMENTS TO THE ADMINISTRATION BUILDING AT THE WESTCHESTER COMMUNITY COLLEGE CAMPUS; STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$8,371,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,186,000 BONDS HEREIN AUTHORIZED TO FINANCE THE COUNTY'S SHARE OF SUCH COST AND THE APPLICATION OF \$4,185,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TOWARDS THE COST OF SAID OBJECTS OR PURPOSES; 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 Third-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, \$4,186,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the planning for improvements to the Administration Building at the Westchester Community College Campus, 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$8,371,000. The plan of financing includes the issuance of \$4,186,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the application of \$4,185,000 expected to be received from the State of New York to be expended towards the cost of said objects or purposes, and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued, within the limitations of Section 11.00 a. 62(2<sup>nd</sup>) 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 \$4,186,000. 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 \$4,186,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PLANNING FOR IMPROVEMENTS TO THE ADMINISTRATION BUILDING AT THE WESTCHESTER COMMUNITY COLLEGE CAMPUS, STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$8,371,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,186,000 BONDS HEREIN AUTHORIZED TO FINANCE THE COUNTY'S SHARE OF SUCH COST AND THE APPLICATION OF \$4,185,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TOWARDS THE COST OF SAID OBJECTS OR PURPOSES; 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 planning for improvements to the Administration Building at the Westchester Community College Campus; at the estimated maximum cost of \$8,371,000; 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: \$4,186,000; 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

<b>Project ID:*</b> <b>WCC89</b>	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 07-05-2024
<b>Fact Sheet Year:*</b> 2024	<b>Project Title:*</b> ADMINISTRATION BUILDING EXPANSION/RENOVATION	<b>Legislative District ID:</b> 3,
<b>Category*</b> WCC - BUILDINGS	<b>Department:*</b> COMMUNITY COLLEGE	<b>CP Unique ID:</b> 2580

### Overall Project Description

The Administration Building was constructed in 1988 and contains 35,000 sq ft. The Admin Building houses a number of student service offices including the Office of Administrative Services, Human Resources, Bursars, Accounting, Purchasing, Registrar, Financial Aid Office, Admissions, Continuing Education and a portion of Information Technology. This Administration Building Expansion/Renovation project is to provide additional administrative space for the expansion of the existing departments. To consolidate and improve access to essential services, the Administration building will be fully renovated, and a two-story 22,400 gross sq. ft. addition will be constructed to create a new "One-Stop Student Service Center". The addition will also include both private and open office space as well as conference rooms for meetings.

- |   |   |  |
|---|---|--|
| <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	2024-25	2025-26	2026-27	2027-28	2028-29	Under Review
<b>Gross</b>	36,716	12,616	9,500	9,500	5,100	0	0	0
<b>Less Non-County Shares</b>	18,358	6,308	4,750	4,750	2,550	0	0	0
<b>Net</b>	18,358	6,308	4,750	4,750	2,550	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 92

<b>Current Bond Description:</b> Current Bonding request is \$4,186,000 to fund the County's 50% share of this planning and design phase. The Planning phase shall consist of hiring professional architectural and engineering firms for project services. The consultant shall provide design services associated with project services. Design services shall include preparing construction contract documents (drawings and specifications), construction cost estimate, bid analysis, preparation of any addenda if required, and recommendation to award the construction contracts. In addition, the consultant shall provide design services during construction consisting of shop drawing and submission review, attendance at project meetings, periodic site visits, and preparation of as-built drawings.	
<b>Financing Plan for Current Request:</b>	
Non-County Shares:	\$ 4,185,000
Bonds/Notes:	4,186,000
Cash:	0
<b>Total:</b>	<b>\$ 8,371,000</b>

### SEQR Classification:

TYPE II

### Amount Requested:

4,186,000

### Expected Design Work Provider:

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

### Comments:

The amount appropriated for this phase of the project is \$9,896,000. The bonding request in the amount of \$4,186,000 (excludes the Site Development, which will be bonded separately to complete this Phase) represents the County's 50% share of the portion of this phase. The entire phase was approved for Capital Project WCC89 Administration Building Expansion/Renovation (Phase II). New York State has approved funding on the remaining 50%.



**Energy Efficiencies:****ENERGY EFFICIENT LIGHTING****Appropriation History:**

Year	Amount	Description
2021	2,720,000	ADMINISTRATION BUILDING EXPANSION/RENOVATION PHASE I
2024	9,896,000	ADMINISTRATION BUILDING EXPANSION/RENOVATION PHASE II

**Total Appropriation History:**

12,616,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
21	141	1,360,000	0	WCC ADMIN BLDG - HVAC, PLUMBING, WATER SERVICE LINES.

**Total Financing History:**

1,360,000

**Recommended By:****Department of Planning**  
MLLL**Date**  
08-14-2024**Department of Public Works**  
RJB4**Date**  
08-14-2024**Budget Department**  
DEV9**Date**  
08-14-2024**Requesting Department**  
DAGX**Date**  
08-15-2024