Board of Legislators

Meeting Agenda

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

Monday, November 22, 2021 **7:00 PM** **Legislative Chambers**

Regular Meeting

CALENDAR 21 (CONSENT)

CALL TO ORDER

MINUTES APPROVAL

October 18, 2021 at 7PM

PUBLIC COMMENT

Speakers_____

PUBLIC HEARING

1. 2021-520 **PH - Tax Exemption for Volunteer Firefighters & Ambulance Service Members**

A Public Hearing on "A LOCAL LAW amending Chapter 475 of the Laws of Westchester County by removing the expiration date of tax exemption for volunteer firefighters and volunteer ambulance service members." [Public Hearing set for November 22, 2021 at 7:30 p.m.; Local Law Intro NO. 2021-521].

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND LEGISLATION

Speakers _____

*Please see Standing Committee Item No. 2021-521 for back-up.

UNFINISHED BUSINESS

I. COMMUNICATIONS

A. COUNTY EXECUTIVE

1. 2021-592 **BOND ACT-SOS05-Ossining WWTP Twin Feeder Aerial Cable Replace.**

A BOND ACT authorizing the issuance of TWO MILLION ($2,000,000) DOLLARS in bonds of Westchester County to finance Capital Project SOS05 - Ossining WWTP Twin Feeder Aerial Cable Replacement.

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

SI. 2. 2021-594 **ACT-2021 Budget Amendment**

AN ACT authorizing the amendment of the 2021 County Operating Budget in the amount of FORTY-ONE MILLION, TWO HUNDRED TWO THOUSAND, FOUR HUNDRED FIFTEEN ($41,202,415) DOLLARS and the 2021 County Special Districts Budget in the amount of EIGHT HUNDRED SEVENTY-SIX THOUSAND ($876,000) DOLLARS.
COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

B. COUNTY ATTORNEY

C. LEGISLATORS

SI. 1. 2021-595 **HON. CHRISTOPHER JOHNSON - Proposed Res - Clean Slate Resolution**

A Proposed Resolution calling on the New York State Legislature to pass the Clean Slate Act which would require that most criminal records be sealed automatically after a specified period of time, therefore removing systemic barriers to stable housing, employment and education. This would allow millions of New Yorkers to participate fully in civic life and in their communities.
COMMITTEE REFERRAL: COMMITTEES ON SOCIAL SERVICES AND PUBLIC SAFETY

D. OTHERS

II. NOTICES & PETITIONS

III. STANDING COMMITTEES

1. 2021-423 **APPT-Youth Board-McKnight**

A RESOLUTION appointing Timothy McKnight as a member of the Westchester County Youth Board for the term April 23, 2021 to December 31, 2023.
Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ - 2021 VOTE _____

2. 2021-492 **APPT-Human Rights Commission-Sarar**

A RESOLUTION appointing Hanade Sarar as a member of the Westchester County Human Rights Commission for the term July 8, 2021 to December 31, 2023.
Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ - 2021 **VOTE _____**

3. 2021-493 **APPT-Human Rights Commission-Gomez-Despain**

A RESOLUTION appointing Sam D. Gomez-Despain as a member of the Westchester County Human Rights Commission for the term July 8, 2021 to December 31, 2023.
Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ - 2021 **VOTE _____**

4. 2021-494 **APPT-Human Rights Commission-Amado**

A RESOLUTION appointing Maria Del Carmen Amado as a member of the Westchester County Human Rights Commission for the term July 7, 2021 to December 31, 2023.
Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ - 2021 **VOTE _____**

5. 2021-496 **APPT-Asian American Advisory Board-Pao**

A RESOLUTION appointing Dr. Lincoln Pao as a member of the Westchester County Asian American Advisory Board for the term July 9, 2021 to December 31, 2022.
Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ - 2021 **VOTE _____**

6. 2021-497 **APPT-Asian American Advisory Board-Pan**

A RESOLUTION appointing Dr. Yung-Yi Diana Pan as a member of the Westchester County Asian American Advisory Board for the term July 9, 2021 to December 31, 2022.
Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ - 2021 **VOTE _____**

7. 2021-498 **APPT-African American Advisory Board-Norris**

A RESOLUTION appointing Dwayne R. Norris as a member of the Westchester County African American Advisory Board for the term July 20, 2021 to December 31, 2022.
Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ - 2021 VOTE _____

8. 2021-501 REAPPT-Hispanic Advisory Board-Trusa

A RESOLUTION reappointing Maria Trusa as a member of the Westchester County Hispanic Advisory Board for the term July 20, 2021 to December 31, 2022.

Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ - 2021 VOTE _____

9. 2021-521 LL - Tax Exemption for Volunteer Firefighters & Ambulance Service Members

A LOCAL LAW amending Chapter 475 of the Laws of Westchester County by removing the expiration date of tax exemption for volunteer firefighters and volunteer ambulance service members.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND LEGISLATION

Local Law Intro No. _____ - 2021 VOTE _____

10. 2021-560 BOND ACT-Equipment Acquisition

A BOND ACT authorizing the issuance of ONE MILLION ($1,000,000) DOLLARS in bonds of Westchester County to finance Capital Project B035E - Equipment Acquisition Program (2021-2025) and Capital Project RGP13 - General Infrastructure - Equipment Acquisition (2021-2025).

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2021 VOTE _____

11. 2021-576 ACT-Mortgage Tax Receipts-4-1-21 through 9-30-21

AN ACT to authorize the Commissioner of the Westchester County Department of Finance to pay Mortgage Tax Receipts to Cities, Towns and Villages.

Submitted by COMMITTEE ON BUDGET & APPROPRIATIONS

ACT _____ - 2021 VOTE _____

12. 2021-565 BOND ACT-DoIT

A BOND ACT authorizing the issuance of SEVEN MILLION, EIGHT HUNDRED SIXTY FIVE

THOUSAND ($7,865,000) DOLLARS in bonds of Westchester County to finance the following eight (8) Capital Projects for 2022: BDA02 - Information Technology (2020-2024), BIT6D - Purchase of Computer Equipment (2021-2025), BIT3C - Desk Systems (2017-2021), BIT45 - Building Access Control and Video Surveillance Systems Upgrade, BIT47 - Network and Security Infrastructure Upgrades (2020-2024), BIT49 - Police Record Management System Upgrade, BIT53 - Business Continuity and Disaster Recovery and BIT54 - Critical Communication Logging System Replacement (2021-2025).
Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PUBLIC SAFETY

BOND ACT _____ - 2021 **VOTE _____**

13. 2021-566 **BOND ACT(/Amended)-BIT32-Radio System Replacement**

A BOND ACT (Amended) authorizing the issuance of additional bonds in the amount of ONE MILLION, ONE HUNDRED EIGHTY THOUSAND (1,180,000) DOLLARS in bonds of Westchester County to finance Capital Project BIT32 - Radio System Replacement.
Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2021 **VOTE _____**

14. 2021-574 **ACT-Tourist Promotion Agency-2022**

AN ACT designating the Westchester County Office of Tourism and Film as the Tourist Promotion Agency for Westchester County for the period from January 1, 2022 through December 31, 2022.
Submitted by COMMITTEE ON BUDGET & APPROPRIATIONS

ACT _____ - 2021 **VOTE _____**

15. 2021-575 **RES-Tourist Promotion Agency-2022**

A RESOLUTION designating the Westchester County Office of Tourism and Film as the Tourist Promotion Agency for Westchester County, as such an agency is defined in the New York State Tourist Promotion Act, for the period from January 1, 2022 through December 31, 2022.
Submitted by COMMITTEE ON BUDGET & APPROPRIATIONS

RESOLUTION _____ - 2021 **VOTE _____**

SI. 16 2021-557 **BOND ACT-RD021-Haulage Vehicle and Solid Waste Equipment VI**

A BOND ACT authorizing the issuance of THREE MILLION, EIGHT HUNDRED THOUSAND ($3,800,000) DOLLARS in bonds of Westchester County to finance Capital Project RD021 - Haulage Vehicle and Solid Waste Equipment Phase VI.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2021 VOTE _____

SI. 17.2021-558 **BOND ACT-DEF Design**

A BOND ACT authorizing the issuance of FIVE MILLION, NINE HUNDRED THOUSAND ($5,900,000) DOLLARS in bonds of Westchester County to finance the following eight (8) Capital Projects for 2022: SNY95 - Pumping Station Rehabilitation Program - North Yonkers SSD, SOS07 - Ossining WRRF Fire and Gas Detection Systems, SPC11 - Port Chester Wastewater Treatment Plant - Roof Replacements, SPK23 - Peekskill WRRF HVAC Replacement, SPK26 - McGregory Brook Relief Sewer, SY044 - YJ Primary Sludge Gravity Thickener Piping Replacement and Process Improvements, SY045 - Yonkers Joint WRRF Solids Handling Upgrades, and SY053 - Yonkers Joint Sewer Districts Sewer Tunnel Rehabilitation.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2021 VOTE _____

SI. 18.2021-567 **PH-Sewer District Mod.-Return-Cortlandt**

A RESOLUTION to set a Public Hearing on "AN ACT to modify the Peekskill Sanitary Sewer District by the addition of one (1) parcel of property located in the Town of Cortlandt, 73 South Hill Road". [Public Hearing set for _____, 2021 at _____ .m]. INTRO ACT 2021-568.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH

RESOLUTION _____ - 2021 VOTE _____

SI. 19.2021-577 **PH-Sewer District Mod-Removal-Mount Pleasant**

A RESOLUTION to set a Public Hearing on "AN ACT to modify the Saw Mill Valley Sanitary Sewer District by the removal of one (1) parcel of property located in the Town of Mt. Pleasant, 25 Cecila Lane." [Public Hearing set for _____, 2021 at _____ .m.]. ACT INTRO 2021-579.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS &

TRANSPORTATION AND ENVIRONMENT & HEALTH

RESOLUTION _____ - 2021 VOTE _____

SI. 20.2021-590 **ACT-Enter into Grant Agreement with NYSOFA**

AN ACT to authorize the County to enter into a grant agreement with the New York Office for the Aging to accept grant funds under the Consolidated Appropriations Act, HDC5 and Title III-C of the Older Americans Act and to enter into intermunicipal agreements with local municipalities for services to be funded pursuant to the grant.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND SENIORS, YOUTH & INTERGENERATIONAL SERVICES

ACT _____ - 2021 VOTE _____

IV. SPECIAL ORDERS

MOTIONS, RESOLUTIONS & CALL OF THE DISTRICTS

1. 2021-593 **Memorial Resolutions 19-2021**

HON. NANCY BARR: Benjamin A. DeFonce

HON. MARGARET A. CUNZIO: Christina P. Carpenito, Thomas Marriott, Antonia Cannizzaro, Mario Chiarlitti, Thomas W. Marriott

HON. CHRISTOPHER JOHNSON: Tracey Marie Knight

HON. MARYJANE SHIMSKY: Martha Livingston, Nicholas J. Gasparre

LEGISLATORS TUBIOLO AND JOHNSON: Judge Arthur Doran, Jr.

HON. ALFREDA WILLIAMS: Michael V. Marrone

ADJOURNMENT

S.I. # 2021-520

RESOLUTION NO. 181 - 2021

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro No. 521 – 2021 entitled A LOCAL LAW of the Westchester County Board of Legislators amending Chapter 475 of the Laws of Westchester County by removing the expiration date of tax exemption for volunteer firefighters and volunteer ambulance service members." The public hearing will be held at 7:30 p.m. on the 22 day of Nov, 2021 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, N.Y. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

Westchester gov.com

George Latimer
County Executive

November 8, 2021

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 (the "Bond Act") which, if approved, would authorize the County of Westchester ("County") to finance the following capital project:

SOS05 – Ossining WWTP Twin Feeder Aerial Cable Replacement ("SOS05").

The Bond Act, in the amount of $2,000,000.00, will provide additional construction funding for replacement of the two overhead cables and replacement of the existing transformer with two new transformers on raised platforms for flood mitigation at the Ossining Wastewater Treatment Plant (the "Plant"). The work will include the installation of a new electrical support pole, a new electrical manhole, two new raised equipment platforms, and associated electrical, structural, controls, and architectural modifications.

The Department of Environmental Facilities (the "Department") has advised the cables, which cross the Metro North tracks, are almost 40 years old and water has been found in the insulation. The electric service reliability to the Plant is paramount and replacement of the County's portion of these cables is necessary to ensure the continued environmentally sound and compliant operation of the Plant.

The design was undertaken by a consultant and is complete. It is anticipated that construction will take approximately twelve (12) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance prior components of S0S05, as follows: Bond Act No. 173-2013 in the amount of $100,000 which financed design and construction management of this project; and Bond Act No. 174-2013 in the amount of $2,700,000 which financed construction and additional design and construction management costs for this project. These bonds have been sold. The current Bond Act will provide $2,000,000 in additional construction funding which is needed due to cost escalations, bringing the entire project cost to $4,800,000.

The Planning Department has advised that based on its review, the above-referenced capital project has been classified as a "Type II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

As this project is in the best interests of the County, I recommend approval of the attached legislation.

Sincerely,

George Latimer
County Executive

GL/VK/CJG/jpg
Attachments

Reference SOS05

HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act (the "Bond Act") in the amount of $2,000,000.00, which would authorize the County of Westchester ("County") to finance capital project SOS05 – Ossining WWTP Twin Feeder Aerial Cable Replacement ("SOS05").

Your Committee is advised that the Bond Act, which was prepared by the law firm of Norton Rose Fulbright, will provide $2,000,000.00 in additional construction funding for replacement of the two overhead cables and replacement of the existing transformer with two new transformers on raised platforms for flood mitigation at the Ossining Wastewater Treatment Plant (the "Plant"). The work will include the installation of a new electrical support pole, a new electrical manhole, two new raised equipment platform, and associated electrical, structural, controls, and architectural modifications.

The Department of Environmental Facilities (the "Department") has advised that the cables, which cross the Metro North tracks, are almost 40 years old and water has been found in the insulation. The electric service reliability to the Plant is paramount and replacement of the County's portion of these cables is necessary to ensure the continued environmentally sound and compliant operation of the Plant.

Your Committee is advised that the design was undertaken by a consultant and is complete. It is anticipated that construction will take approximately twelve (12) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance prior components of S0S05, as follows: Bond Act No. 173-2013 in the amount of $100,000 which financed design and construction management of this project; and Bond Act No. 174-2013 in the amount of $2,700,000 which financed construction and additional design and construction management costs for this project. These bonds have been sold. The current Bond Act will provide $2,000,000 in additional construction funding which is needed due to cost escalations, bringing the entire project cost to $4,800,000.

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

Please note 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 has carefully considered this matter and recommends approval of the Bond Act.

Dated: , 2021
White Plains, New York

COMMITTEE ON

c/JPG 10.27.21

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: S0S05 ☐ **NO FISCAL IMPACT PROJECTED**

SECTION A - CAPITAL BUDGET IMPACT
To Be Completed by Budget

☐ GENERAL FUND ☐ AIRPORT FUND ☒ SPECIAL DISTRICTS FUND

Source of County Funds (check one): ☒ Current Appropriations
☐ Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS
To Be Completed by Finance

Total Principal $ 2,000,000 **PPU** 30 **Anticipated Interest Rate** 1.62%

Anticipated Annual Cost (Principal and Interest): $ 83,586

Total Debt Service (Annual Cost x Term): $ 2,507,580

Finance Department: Interest rates from November 2, 2021 Bond Buyer - ASBA

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)
To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): $ -

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: 21

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff ☒ Consultant ☐ Not Applicable

Prepared by: CJ Gelardo, P.E. 11/8/2021
Title: Associate Engineer (Construction)
Department: Environmental Facilities
Date: 11/5/21

Reviewed By: Budget Director
Date: 11/8/21

Westchester gov.com

Memorandum
Department of Planning

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

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

DATE: October 28, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT: SOS05 OSSINING WASTEWATER TREATMENT PLANT—TWIN FEEDER AERIAL CABLE REPLACEMENT**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 10-27-2021 (Unique ID: 1811)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(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)(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.

COMMENTS: The scope of work has been modified since it was approved in 2013, at which time it was identified as an Unlisted action under SEQR and a Negative Declaration was issued by the Board of Legislators via Resolution 92-2013. As the project will now replace the cabling in kind—aboveground over the tracks and below ground within County property—as currently existing, with only minor adjustments, this project may be re-classified as a Type II action.

DSK/cnm
cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
C.J. Gelardo, Associate Engineer, Department of Environmental Facilities
Lorraine Yazzetta, Associate Budget Analyst
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

10604739.89

REFERENCE SOS05

ACT NO. _____ - 2021

BOND ACT DATED _____, 2021.

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AUTHORIZING THE ISSUANCE OF AN ADDITIONAL $2,000,000 BONDS TO PAY PART OF THE $4,800,000 ESTIMATED MAXIMUM COST OF DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION OF THE REPLACEMENT OF THE COUNTY'S PORTION OF THE ELECTRIC OVERHEAD SUPPLY CABLE AT THE OSSINING WASTEWATER TREATMENT PLANT, FOR THE BENEFIT OF THE COUNTY'S OSSINING SANITARY SEWER DISTRICT.

WHEREAS, this Board has previously authorized the issuance of $600,000 bonds to finance design and construction management services in connection with the replacement of the County's portion of the electric overhead supply cable at the Ossining Wastewater Treatment Plant, in, and for the benefit of, the County's Ossining Sanitary Sewer District, County of Westchester, New York, including incidental expenses in connection therewith, pursuant to Bond Act No. 183-2008 (adopted October 6, 2008);

WHEREAS, $100,000 principal amount of bond anticipation notes were issued on December 2, 2010 under the authority of Bond Act No. 183-2008 and subsequently refinanced through the issuance of bonds of the County on November 17, 2011, and the County determined that no additional obligations are to be issued under the authority of Bond Act No. 183-2008;

WHEREAS, the County, in Bond Act No. 174-2013, authorized an additional $2,700,000 bonds to pay part of the $2,800,000 estimated maximum cost of design, construction management and construction of the County's portion of the electric overhead supply cable at the Ossining Wastewater Treatment Plant, a class of objects or purposes;

WHEREAS, the estimated maximum cost of the aforesaid class of objects or purposes has increased to $4,800,000, and it is now appropriate to authorize an additional $2,000,000 bonds to pay part of the $4,800,000 estimated cost of the class of objects or purposes;

WHEREAS, said replacement of the County's portion of the electric overhead supply cable at the Ossining Wastewater Treatment Plant is for the benefit of the County's Ossining Sanitary Sewer District in the County of Westchester, New York, and the costs thereof shall be specially assessed against properties in said District, or as the County shall determine; and

WHEREAS, the class of objects or purposes to be financed hereby has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the maximum estimated cost of the class of objects or purposes to be financed hereby is in conformity with such capital budget; and

WHEREAS, all other conditions precedent to the financing the class of objects or purposes to be financed hereby have been performed; and

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 1. There are hereby authorized to be issued $2,000,000 bonds of the County of Westchester to pay for part of the $4,800,000 estimated maximum cost of the design, construction management and construction of the replacement of the County's portion of the electric overhead supply cable at the Ossining Wastewater Treatment Plant, for the benefit of the County's Ossining Sanitary Sewer District, which is a class of objects or purposes. 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 2021 Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith. The proceeds of obligations authorized hereby shall be allocated to the aforesaid Sewer District at or before the time of the issuance thereof.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is $4,800,000, and that the plan for the financing thereof is by the issuance of the $2,000,000 bonds authorized hereby, the $2,700,000 bonds of said County

authorized to be issued pursuant to Bond Act No. 174-2013, and the $100,000 bonds issued under Bond Act No. 183-2008.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years, pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law. The period of probable usefulness of the aforesaid class of objects or purposes is measured from December 2, 2010, the date of the first obligation issued under Bond Act No. 183-2008, as said obligation financed a portion of the cost of the aforesaid class of objects or purposes.

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 Ossining Sanitary Sewer District, as allocated by the County, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

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

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

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

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to

the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at his or her sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the 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 serial bonds and, or notes without resorting to further action of this Board of Legislators.

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

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

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

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

(2) The provisions of law which should be complied with at the date of publication of this Bond Act are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

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

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

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

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * *

APPROVED BY THE COUNTY EXECUTIVE

_____

Date: _____, 2021

69720067.2

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 _____, 2021, 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.

[please check one below]

_____ (1) pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, or

_____ (2) said meeting was held remotely by conference call, video conference, or other similar means in accordance with the requirements set forth in Chapter 417 of the Laws of 2021.

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 _____, 2021.

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

(CORPORATE
SEAL)

69720067.2

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2021 and approved by the County Executive on _____, 2021 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 and Chief Administrator 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. _____-2021

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AUTHORIZING THE ISSUANCE OF AN ADDITIONAL $2,000,000 BONDS TO PAY PART OF THE $4,800,000 ESTIMATED MAXIMUM COST OF DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION OF THE REPLACEMENT OF THE COUNTY'S PORTION OF THE ELECTRIC OVERHEAD SUPPLY CABLE AT THE OSSINING WASTEWATER TREATMENT PLANT, FOR THE BENEFIT OF THE COUNTY'S OSSINING SANITARY SEWER DISTRICT.

Class of objects or purposes:	design, construction management and construction costs of the replacement of the County's portion of the electric overhead supply cable at the Ossining Wastewater Treatment Plant, in, and for the benefit of, the County's Ossining Sanitary Sewer District
period of probable usefulness:	thirty years, measured from December 2, 2010.
amount of obligations to be issued:	$2,000,000

Dated: _____, 2021
White Plains, New York

_____
Clerk and Chief Administrator of the County Board of Legislators of the County of Westchester, New York

69720067.2

CAPITAL PROJECT FACT SHEET

Project ID:* S0S05	☐ CBA	**Fact Sheet Date:*** 10-27-2021
Fact Sheet Year:* 2022	**Project Title:*** OSSINING WASTE WATER TREATMENT PLANT - TWIN FEEDER AERIAL CABLE REPLACEMENT	**Legislative District ID:** 3, 9, 4,
Category* SEWER AND WATER DISTRICTS	**Department:*** ENVIRONMENTAL FACILITIES	**CP Unique ID:** 1811

Overall Project Description

This project will provide funding for the replacement of the County's portion of the electric overhead supply primary cable which is the main electric power supply to the Ossining WWTP.

☐ 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	2022	2023	2024	2025	2026	Under Review
Gross	4,800	4,800	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,800	4,800	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 502

Current Bond Description: Additional construction funding for replacement of the two overhead cables and replacement of the existing transformer with two new transformers on raised platforms for flood mitigation. The work will require the installation of a new electrical support pole, a new electrical manhole, two new raised equipment platform, and associated electrical, structural, controls, and architectural modifications.

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

2,000,000

Comments:

The scope of the project has changed since the original construction bonding request under BA 174-13. The original scope included running the cables underground underneath the metro north railroad tracks. In this revised scope the cables will now remain overhead while going over the tracks and will only transition underground once on the facility's property. This results in much less ground disturbance and so a full EAF may no longer be required. THIS IS MEANT TO BE A 2021 REQUEST.

Energy Efficiencies:

NONE

Appropriation History:

Year	Amount	Description
2008	600,000	DESIGN, ADMINISTRATIVE AND CONSTRUCTION MANAGEMENT
2009	2,100,000	CONSTRUCTION
2012	100,000	ADDITIONAL CONSTRUCTION COSTS
2021	2,000,000	COST ESCALATION

Total Appropriation History:
4,800,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
08	183	0	100,000	DESIGN & CON. MGT. - OSS. WWTP TWIN FEEDER AERIAL CABLE
13	174	2,700,000	2,700,000	ELECTRIC OVERHEAD SUPPLY CABLE AT THE OSSINIGN WSTEWATER TREATMNET PLANT REPLACEMENT
13	173	100,000	0	OSSINING WWTP TWIN FEEDER AERIAL CABLE REPLACEMENT

Total Financing History:
2,800,000

Recommended By:

Department of Planning	**Date**
WBB4	10-27-2021
Department of Public Works	**Date**
RJB4	10-27-2021
Budget Department	**Date**
LMY1	10-27-2021
Requesting Department	**Date**
CJGA	10-27-2021

OSSINING WASTE WATER TREATMENT PLANT - TWIN FEEDER AERIAL CABLE REPLACEMENT
(S0S05)

User Department : Environmental Facilities

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

Estimated Completion Date: TBD

Planning Board Recommendation: Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	4,800	2,800	498	2,000					
Non County Share									
Total	4,800	2,800	498	2,000					

Project Description

This project will provide funding for the replacement of the County's portion of the electric overhead supply primary cable which is the main electric power supply to the Ossining WWTP.

Current Year Description

The current request funds a cost escalation.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2021	2,000,000			2,000,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2008	600,000	Design, administrative and construction management	DESIGN
2009	2,100,000	Construction	DESIGN
2012	100,000	Additional Construction Costs	DESIGN
Total	2,800,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,800,000	355,200	2,444,800
Total	2,800,000	355,200	2,444,800

OSSINING WASTE WATER TREATMENT PLANT - TWIN FEEDER AERIAL CABLE REPLACEMENT
(S0S05)

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
183	08		12/02/10	100,000	(100,000)
			12/02/10	(100,000)	
			11/30/11	98,358	
			11/30/11	1,642	
173	13	100,000			100,000
174	13	2,700,000	07/10/14	2,700,000	
Total		2,800,000		2,800,000	

Westchester gov.com

Memorandum

Office of the County Executive
Michaelian Office Building

November 18, 2021

TO: Hon. Benjamin Boykin, Chair
Hon. Alfreda Williams, Vice Chair
Hon. MaryJane Shimsky, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Act – 2021 Budget Amendment.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators November 22, 2021 Agenda.

Transmitted herein in an act authorizing the amendment of the 2021 County Operating Budget and the 2021 County Special Districts Budget.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for November 22, 2021 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

Westchester gov.com

George Latimer
County Executive

November 18, 2021

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

Honorable Members of The Board of Legislators:

Transmitted herein is an act authorizing the amendment of the 2021 County Operating Budget in the amount of $41,202,415, and the 2021 County Special Districts Budget in the amount of $876,000.

Pursuant to Section 167.121 of the Laws of Westchester County, this Act requires authorization by the Board of Legislators.

The attached Act contains an increase of $8,658,000 in appropriations on an all funds basis for the County's State Fiscal Year (SFY) 2022 pension contribution to the Office of the State Comptroller. This increase is required to effectuate the change to the County financial plan to not amortize a portion of the County's SFY 2022 pension contribution.

Also included in this requested amendment are appropriations increases for additional other personal service costs within the Departments of Correction and Public Safety due to higher than anticipated absences due to the COVID-19 pandemic, and a higher municipal and school district sales and use tax distribution resulting from higher collections.

The aforementioned increases are fully funded by a lower County share of Medicaid resulting from the extension of the Enhanced FMAP period originally authorized by the Families First Act, and additional revenues resulting from higher than anticipated state and federal transportation aid, and sales and use and mortgage recording tax collections.

This amendment also removes the budgeted appropriation of general fund balance in the amount of $103,633,585 as this resource is no longer required to fund 2021 operations.

Therefore, I recommend the approval of the attached Act amending the 2021 County Operating Budget in the amount of $41,202,415, and the 2021 County Special Districts Budget in the amount of $876,000.

Respectfully submitted,

George Latimer
County Executive

Attachment

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

Your committee is in receipt of an act authorizing the amendment of the 2021 County Operating Budget in the amount of $41,202,415, and the 2021 County Special Districts Budget in the amount of $876,000.

Pursuant to Section 167.121 of the Laws of Westchester County, this Act requires authorization by the Board of Legislators.

The attached Act contains an increase of $8,658,000 in appropriations on an all funds basis for the County's State Fiscal Year (SFY) 2022 pension contribution to the Office of the State Comptroller. This increase is required to effectuate the change to the County financial plan to not amortize a portion of the County's SFY 2022 pension contribution.

Pursuant to Section 2 of Act 197 of 2011 of the Laws of Westchester County, prior approval by the Board of Legislators is required to execute actions that would result in a deviation in the pension contribution greater than four million dollars ($4,000,000.00) from the finally adopted County Budget. Approval of this act would constitute such prior approval.

Also included in this requested amendment are appropriations increases for additional other personal service costs within the Departments of Correction and Public Safety due to higher than anticipated absences due to the COVID-19 pandemic, and a higher municipal and school district sales and use tax distribution resulting from higher collections.

The aforementioned increases are fully funded by a lower County share of Medicaid resulting from the extension of the Enhanced FMAP period originally authorized by the Families First Act, and additional revenues resulting from higher than anticipated state and federal aid, and sales and use and mortgage recording tax collections.

This amendment also removes the budgeted appropriation of general fund balance in the amount of $103,633,585 as this resource is no longer required to fund 2021 operations.

Therefore, your committee recommends the approval of the attached Act amending the 2021 County Operating Budget in the amount of $41,202,415, and the 2021 County Special Districts Budget in the amount of $876,000.

Dated:

White Plains, New York

FISCAL IMPACT STATEMENT

SUBJECT: 2021 Budget Amendment [ ] **NO FISCAL IMPACT PROJECTED**

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

[X] GENERAL FUND [ ] AIRPORT FUND [X] SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense $ 42,078,415

Total Current Year Revenue $ 42,078,415

Source of Funds (check one): [ ] Current Appropriations [ ] Transfer of Existing Appropriations

[X] Additional Appropriations [ ] Other (explain)

Identify Accounts: SEE ATTACHED ACT

Potential Related Operating Budget Expenses: Annual Amount $ -

Describe:

Potential Related Operating Budget Revenues: Annual Amount $ -

Describe:

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

Current Year:

Next Four Years: The County would save $1,712,000 in total interest costs over the next 10 years by not amortizing a portion of its State Fiscal Year 2022 pension contribution.

Prepared by: Gideon Grande

Title: Deputy Director

Department: Budget

Date: November 17, 2021

Reviewed By:

Budget Director

Date: 11/17/21

ACT _____ 2021

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

SECTION 1. The 2021 County Operating Budget shall be amended as follows:

EXPENDITURES:		
Department of Social Services		
Medicaid - Regular (101-22-8900-5760)	-	4,774,585
Department of Correction		
Overtime (101-35-2000-1400)	+	10,223,000
207-c Disability (101-35-1000-1520)	+	1,000,000
Department of Public Safety		
Overtime (101-38-2000-1400)	+	5,158,000
Miscellaneous Budgets		
NYS Pension (101-52-1500-1650)	+	7,782,000
Muni and School SUT Distribution (101-52-2102-5100)	+	21,814,000
TOTAL GENERAL FUND EXPENSE		41,202,415
REVENUES:		
Department of Transportation		
State Transit Aid (101-44-2100-9734)	+	12,173,000
Federal Transit Aid (101-44-2100-9818)	+	26,087,000
Miscellaneous Budget		
Mortgage Recording Tax (101-52-1000-9031)	+	9,703,000
Sales and Use Tax (101-52-1000-9032)	+	96,873,000
Appropriated Fund Balance (101-52-1000-9652)	-	103,633,585
TOTAL GENERAL FUND REVENUE		41,202,415

SECTION 2. The 2021 County Special Districts Budget shall be amended as follows:

EXPENDITURES:		
Environmental Facilities		
NYS Pension (221-60-0110-1650)	+	876,000
REVENUES:		
Environmental Facilities		
Extraordinary Federal Aid (221-60-0110-9898)	+	876,000

SECTION 3. This ACT shall take effect immediately.

Christopher A. Johnson
Majority Whip, Legislator, 16th District
Chair, Social Services

Committee Assignments
Budget & Appropriations
Labor & Housing
Public Safety
Public Works & Transportation

To: Ben Boykin, Chairman of the Board of Legislators
Sunday Vanderberg, Clerk of the Board of Legislators

From: Christopher Johnson, Legislator, 16th District

Date: November 22, 2021

Re: Clean Slate Resolution

Attached is a Resolution calling on the New York State Legislature to pass the Clean Slate Act which would require that most criminal records be sealed automatically after a specified period of time, therefore removing systemic barriers to stable housing, employment and education. This would allow millions of New Yorkers to participate fully in civic life and in their communities.

Please refer to the appropriate committee.

Tel: (914) 995-2829 • Fax: (914) 995-3884 • E-mail: Johnson@westchesterlegislators.com
800 Michaelian Office Bldg., 148 Martine Avenue, White Plains, N.Y. 10601 • www.westchesterlegislators.com • 914.995.2800 (main voic

WHEREAS, 2.3 million people in New York State have criminal conviction records; and

WHEREAS, People with criminal conviction records face thousands of civil barriers to employment, licensing, housing and educational opportunities long after they have completed their sentences; and

WHEREAS, Racial disparities and socio-economic discrimination are rampant throughout the criminal legal system, and statistics and anecdotal evidence show that convictions for even low-level offenses result in cyclical harm and structural instability for individuals, families and communities; and

WHEREAS, Excluding individuals with criminal records from full participation in society through a system of perpetual punishment creates intergenerational trauma and exacerbates racial and economic inequality; and

WHEREAS, Black and Latinx New Yorkers are far more likely to be stopped, arrested, prosecuted, convicted and incarcerated in the criminal legal system than white New Yorkers; and

WHEREAS, People of color are far more likely to be discriminated against based on a conviction record; and

WHEREAS, People who have been to prison lose an average of $484,400 in earnings over their lifetime; and

WHEREAS, Excluding individuals with conviction histories from the workforce costs the economy between $78 billion and $87 billion in lost gross domestic product; and

WHEREAS, Approximately 95% of incarcerated people return to their communities after serving their sentences; and

WHEREAS, Giving people access to jobs, housing, education and licenses to practice a trade increases their participation in the economy and reduces the likelihood they will return to prison, thereby making our communities safer; and

WHEREAS, Only approximately 2,500 of an estimated 600,000 eligible people — or less than 0.5% — have had their records sealed since New York's current application-based sealing law went into effect in 2017; and

WHEREAS, A system of automatic sealing and expungement of criminal records is essential to provide relief to those who need it most; and

WHEREAS, The "Clean Slate Act" (S1553B/A6399A), sponsored by Senator Zellnor Myrie and Assembly Member Catalina Cruz, would require that most criminal records be sealed automatically after a specified period of time; and

WHEREAS, The Clean Slate Act would remove systemic barriers to stable housing, employment and education and allow millions of New Yorkers participate fully in civic life and in their communities; and

WHEREAS, Numerous other states, including Pennsylvania, Michigan, Utah and Connecticut, have already passed “Clean Slate” legislation; now, therefore, be it

RESOLVED, That the Westchester Board of Legislators calls on the New York State Legislature to pass and the Governor to sign the Clean Slate Act.

RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS
OF THE COUNTY OF WESTCHESTER, NEW YORK

WHEREAS, the County Executive having on the 23rd day of April, 2021, recommended the appointment of Timothy McKnight of New Rochelle, New York, as a member of the Westchester County Youth Board for a term to commence on April 23, 2021 and expire on December 31, 2023, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

WHEREAS, the Committee on Appointments, having on the 9th day of November, 2021 approved the appointment of Timothy McKnight as a member of the Westchester County Youth Board; NOW THEREFORE BE IT

RESOLVED, that said appointment be and is hereby approved.

Dated: November 9, 2021
White Plains, New York

COMMITTEE ON APPOINTMENTS

Dated: November 9, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

APPOINTMENTS COMMITTEE

RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS
OF THE COUNTY OF WESTCHESTER, NEW YORK

WHEREAS, the County Executive having on the 8th day of July, 2021, recommended the appointment of Hanade Sarar of Yonkers, New York, as a member of the Westchester County Human Rights Commission for a term to commence on July 8, 2021 and expire on December 31, 2023, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

WHEREAS, the Committee on Appointments, having on the 9th day of November, 2021, approved the appointment of Hanade Sarar as a member of the Westchester County Human Rights Commission; NOW THEREFORE BE IT

RESOLVED, that said appointment be and is hereby approved.

Dated: November 9, 2021
White Plains, New York

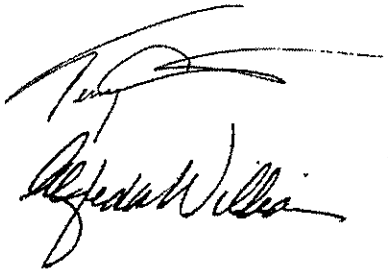
COMMITTEE ON APPOINTMENTS

Dated: November 9, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

APPOINTMENTS COMMITTEE



RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS
OF THE COUNTY OF WESTCHESTER, NEW YORK

WHEREAS, the County Executive having on the 8th day of July, 2021, recommended the appointment of Sam D. Gomez-Despain of New Rochelle, New York, as a member of the Westchester County Human Rights Commission for a term to commence on July 8, 2021 and expire on December 31, 2023, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

WHEREAS, the Committee on Appointments, having on the 9th day of November, 2021, approved the appointment of Sam D. Gomez-Despain as a member of the Westchester County Human Rights Commission; NOW THEREFORE BE IT

RESOLVED, that said appointment be and is hereby approved.

Dated: November 9, 2021
White Plains, New York

COMMITTEE ON APPOINTMENTS

Dated: November 9, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

APPOINTMENTS COMMITTEE

RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS
OF THE COUNTY OF WESTCHESTER, NEW YORK

WHEREAS, the County Executive having on the 7th day of July, 2021, recommended the appointment of Maria Del Carmen Amado of Mamaroneck, New York, as a member of the Westchester County Human Rights Commission for a term to commence on July 7, 2021 and expire on December 31, 2023, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

WHEREAS, the Committee on Appointments, having on the 9th day of November, 2021, approved the appointment of Maria Del Carmen Amado as a member of the Westchester County Human Rights Commission; NOW THEREFORE BE IT

RESOLVED, that said appointment be and is hereby approved.

Dated: November 9, 2021
White Plains, New York

COMMITTEE ON APPOINTMENTS

Dated: November 9, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

APPOINTMENTS COMMITTEE

RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS
OF THE COUNTY OF WESTCHESTER, NEW YORK

WHEREAS, the County Executive having on the 9th day of July, 2021, recommended the appointment of Dr. Lincoln Pao of Chappaqua, New York, as a member of the Westchester County Asian American Advisory Board, for a term to commence on July 9, 2021 and expire on December 31, 2022, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

WHEREAS, the Committee on Appointments, having on the 9th day of November, 2021, approved the appointment of Dr. Lincoln Pao as a member of the Westchester County Asian American Advisory Board; NOW THEREFORE BE IT

RESOLVED, that said appointment be and is hereby approved.

Dated: November 9, 2021
White Plains, New York

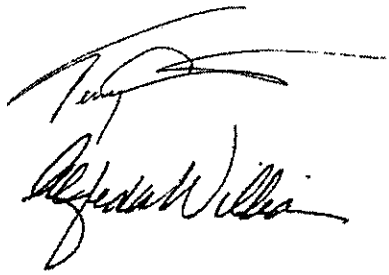
COMMITTEE ON APPOINTMENTS

Dated: November 9, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

APPOINTMENTS COMMITTEE



RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS
OF THE COUNTY OF WESTCHESTER, NEW YORK

WHEREAS, the County Executive having on the 9th day of July, 2021, recommended the appointment of Dr. Yung-Yi Diana Pan of Hastings-on-Hudson, New York, as a member of the Westchester County Asian American Advisory Board, for a term to commence on July 9, 2021 and expire on December 31, 2022, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

WHEREAS, the Committee on Appointments, having on the 9th day of November, 2021, approved the appointment of Dr. Yung-Yi Diana Pan as a member of the Westchester County Asian American Advisory Board; NOW THEREFORE BE IT

RESOLVED, that said appointment be and is hereby approved.

Dated: November 9, 2021
White Plains, New York

COMMITTEE ON APPOINTMENTS

Dated: November 9, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

APPOINTMENTS COMMITTEE

RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS
OF THE COUNTY OF WESTCHESTER, NEW YORK

WHEREAS, the County Executive having on the 20th day of July, 2021, recommended the appointment of Dwayne R. Norris of New Rochelle, New York, as a member of the Westchester County African American Advisory Board, for a term to commence on July 20, 2021 and expire on December 31, 2022, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

WHEREAS, the Committee on Appointments, having on the 9th day of November, 2021 approved the appointment of Dwayne R. Norris as a member of the Westchester County African American Advisory Board; NOW THEREFORE BE IT

RESOLVED, that said appointment be and is hereby approved.

Dated: November 9, 2021
White Plains, New York

COMMITTEE ON APPOINTMENTS

Dated: November 9, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

APPOINTMENTS COMMITTEE

RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS
OF THE COUNTY OF WESTCHESTER, NEW YORK

WHEREAS, the County Executive having on the 20th day of July, 2021, recommended the reappointment of Maria Trusa of West Harrison, New York, as a member of the Westchester County Hispanic Advisory Board, for a term to commence on July 20, 2021 and expire on December 31, 2022, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

WHEREAS, the Committee on Appointments, having on the 9th day of November, 2021, approved the reappointment of Maria Trusa as a member of the Westchester County Hispanic Advisory Board; NOW THEREFORE BE IT

RESOLVED, that said reappointment be and is hereby approved.

Dated: November 9, 2021
White Plains, New York

COMMITTEE ON APPOINTMENTS

Dated: November 9, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

APPOINTMENTS COMMITTEE

LOCAL LAW NO. ___ - 2021

A LOCAL LAW of the Westchester County Board of Legislators amending Chapter 475 of the Laws of Westchester County by removing the expiration date of tax exemption for volunteer firefighters and volunteer ambulance service members

Be it enacted by the Board of Legislators of the County of Westchester, as follows:

SECTION 1.

Section 2 of Local Law 16-2008, as amended by Local Law 3-2020 is hereby amended to read as follows:

> This Local Law shall take effect immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after such date [and shall expire on December 31, 2021 and shall not apply to assessment rolls prepared on the basis of taxable status dates occurring on or after that date].

SECTION 2. Effective date.

This Local Law shall take effect immediately.

Reference B035E, RGP13

HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act (the "Bond Act") in the total amount of $1,000,000 to authorize the County of Westchester (the "County") to finance the following two (2) capital projects for 2022:

B035E – Equipment Acquisition Program (2021-2025); and
RGP13 – General Infrastructure – Equipment Acquisition (2021 -2025).

Your Committee is advised that the Bond Act, prepared by the law firm of Hawkins, Delafield & Wood, LLP, would authorize the County to issue bonds in the total amount of $1,000,000 to finance the replacement of equipment associated with the maintenance of the County roadway system and County facilities under the jurisdiction of the Department of Public Works and Transportation ("DPW&T"). It will also fund the acquisition of heavy equipment and vehicles for the Department of Parks, Recreation and Conservation ("PRC").

DPW&T anticipates that the following equipment will be replaced:

- 2000 International six-wheel plow truck with interchangeable bodies & accessories (#5775)
- 1994 International rack body truck equipped with cones, barricades and barrels (#4553)

PRC anticipates that the following equipment will be replaced:

- 2008 GMC Dump Truck (#137742)
- 2008 Chevrolet Dump Truck (#149142)
- 2009 Toro Sidewinder 3500 (#190642)
- 2012 Toro Reelmaster 5210 (#546542)
- 2008 John Deer Rough Mower (#126542)
- 2010 John Deere Tractor (#208242)
- 2001 Toro Triplex Mower (#5978)
- 2008 John Deere Turbo Mower 1600 (#137442)

Your Committee is advised that as was initiated last year, the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2022 Capital Budget. It is the County's goal to submit this Bond Act now so that the

referenced projects will be ready to proceed without delay in early 2022. In addition, please note that the proposed Bond Act authorizes financing for like objects or purposes in connection with multiple capital projects. It is hoped that by combining projects that have the same objects and purposes into a single bond act, the County can dramatically reduce the amount of bond legislation that your Honorable Board would be required to review, thereby expediting the approval process and avoiding backlogs.

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

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

Dated: November 15, 2021
White Plains, New York

Ruth Walker
Benjamin Boyd II
Catherine S
Nancy E Barr

COMMITTEE ON

Budget & Appropriation

Ruth Walker
Benjamin Boyd II

Public Works & Transportation

k/jpg/09/15/2021

Dated: November 15, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Public Works & Transportation

Catherine F. Parker

David A. Jabish

Budget & Appropriations

Margaret A. Cunzio

Catherine F. Parker

David A. Jabish

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: Maint. Equip

[ ] **NO FISCAL IMPACT PROJECTED**

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

[X] GENERAL FUND [ ] AIRPORT FUND [ ] SPECIAL DISTRICTS FUND

Source of County Funds (check one): [X] Current Appropriations

[ ] Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal $ 1,000,000 **PPU** 15 **Anticipated Interest Rate** 1.13%

Anticipated Annual Cost (Principal and Interest): $ 72,725

Total Debt Service (Annual Cost x Term): $ 1,090,875

Finance Department: Interest rates from October 6, 2021 Bond Buyer - ASBA

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

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): $ -

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: 10

SECTION E - EXPECTED DESIGN WORK PROVIDER

[ ] County Staff [ ] Consultant [X] Not Applicable

Prepared by: Robert Abbamont

Title: Dir. Of Operations (Capital Planning)

Department: DPW&T

Date: 10/14/21

Reviewed By: [signature]

Deputy Budget Director

Date: 10/14/21

Westchester gov.com

Memorandum
Department of Planning

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

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

DATE: October 12, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR 2022 CAPITAL PROJECTS BOND ACT – MAINTENANCE EQUIPMENT**

In connection with the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617 (SEQR), the Department of Planning has reviewed the proposed bond act legislation that would finance the following capital projects:

Capital Project	Project Title	Fact Sheet ID	Approved by Planning
B035E	Equipment Acquisition Program (2021-2025)	1754	9/14/2021
RGP13	General Infrastructure – Equipment Acquisition (2021-2025)	1762	9/14/2021

The Planning Department advises that these projects for which funding is being requested may be classified as **TYPE II actions** pursuant to section:

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.

As such, no further environmental review is required.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director

Lorraine Yazzetta, Associate Budget Director
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Peter Tartaglia, First Deputy Commissioner, Dept. of Parks, Recreation and Conservation
Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation
Ken Uhle, Program Coordinator, Dept. of Public Works & Transportation
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

REFERENCES: B035E
RGP13

ACT NO. -20____

BOND ACT AUTHORIZING THE ISSUANCE OF $1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF VARIOUS MACHINERY AND APPARATUS, STATING THE ESTIMATED TOTAL COST THEREOF IS $1,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF $1,000,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20____)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, $1,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the acquisition of various machinery and apparatus for the Department of Public Works and the Department of Parks, Recreation and Conservation, 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 $1,000,000. The plan of financing includes the issuance of $1,000,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of said class of objects or purposes, within the limitations of Section 11.00 a. 28 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 objects or purposes 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 $1,000,000. 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 $1,000,000 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 January 1, 2022 and 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

3625502.1 044973 LEG

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 $1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF VARIOUS MACHINERY AND APPARATUS, STATING THE ESTIMATED TOTAL COST THEREOF IS $1,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF $1,000,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20____)

object or purpose: to finance the cost of the acquisition of various machinery and apparatus for the Department of Public Works and the Department of Parks, Recreation and Conservation, 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: $1,000,000; fifteen (15) years

Dated: _____, 20____
White Plains, New York

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

3625502.1 044973 LEG

CAPITAL PROJECT FACT SHEET

Project ID:* **B035E**	☐ **CBA**	**Fact Sheet Date:*** 10-15-2021
Fact Sheet Year:* 2022	**Project Title:*** EQUIPMENT ACQUISITION PROGRAM (2021-2025)	**Legislative District ID:** 5,
Category* BUILDINGS, LAND & MISCELLANEOUS	**Department:*** PUBLIC WORKS	**CP Unique ID:** 1754

Overall Project Description

This project funds the acquisition of equipment to ensure Public Works/Transportation can maintain the County roads, bridges and grounds.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	4,000	1,100	500	450	975	975	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,000	1,100	500	450	975	975	0	0

Expended/Obligated Amount (in thousands) as of : 807

Current Bond Description: Funding is requested for the replacement of equipment associated with the maintenance of the County roadway system and County facilities under the jurisdiction of the Department of Public Works and Transportation.

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

500,000

Comments:

N/A

Energy Efficiencies:

ALL VEHICLES WILL MEET OR EXCEED THE ENVIRONMENTAL PROTECTION AGENCY'S CLEAN AIR STANDARDS. POSSIBLE ENERGY EFFICIENT OR ENVIRONMENTALLY FRIENDLY ALTERNATIVES WILL BE RESEARCHED AND EVALUATED DURING THE EQUIPMENT PURCHASES.

Appropriation History:

Year	Amount	Description
2021	1,100,000	REPLACEMENT OF A BUCKET TRUCK, TWO CRASH ATTENUATOR TRUCKS, AND TWO SKID STEERS AND ASSOCIATED ATTACHMENTS

Total Appropriation History:

1,100,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	13	1,100,000	0	DPW&T RELACEMENT EQUIPMENT

Total Financing History:
1,100,000

Recommended By:

Department of Planning	**Date**
WBB4	09-14-2021
Department of Public Works	**Date**
RJB4	09-15-2021
Budget Department	**Date**
GKGA	09-15-2021
Requesting Department	**Date**
RJB4	09-17-2021

EQUIPMENT ACQUISITION PROGRAM (2021-2025)
(B035E)

User Department : Public Works

Managing Department(s) : Public Works ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	4,000	1,100	947	500	450	975	975		
Non County Share									
Total	4,000	1,100	947	500	450	975	975		

Project Description

This project funds the acquisition of equipment to ensure Public Works/Transportation can maintain the County roads, bridges and grounds.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	500,000			500,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2021	1,100,000	Replacement of a bucket truck, two crash attenuator trucks, and two skid steers and associated attachments	IN PROGRESS
Total	1,100,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	1,100,000		1,100,000
Total	1,100,000		1,100,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
13 21	1,100,000			1,100,000
Total	1,100,000			1,100,000

CAPITAL PROJECT FACT SHEET

Project ID:* RGP13	☐ CBA	**Fact Sheet Date:*** 10-15-2021
Fact Sheet Year:* 2022	**Project Title:*** GENERAL INFRASTRUCTURE - EQUIPMENT ACQUISITION (2021-2025)	**Legislative District ID:**
Category* RECREATION FACILITIES	**Department:*** PARKS, RECREATION & CONSERVATION	**CP Unique ID:** 1762

Overall Project Description

This project funds the continued acquisition of heavy equipment and vehicles throughout the Parks system.

☐ 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	2022	2023	2024	2025	2026	Under Review
Gross	3,500	1,500	500	500	500	500	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,500	1,500	500	500	500	500	0	0

Expended/Obligated Amount (in thousands) as of : 474

Current Bond Description: This request will fund the purchase of equipment associated with the maintenance of the park facilities under the jurisdiction of the Department of Parks, Recreation and Conservation.

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

500,000

Comments:

Energy Efficiencies:

POSSIBLE ENERGY EFFICIENT AND ENVIRONMENTALLY FRIENDLY ALTERNATIVES WILL BE RESEARCHED AND EVALUATED DURING THE EQUIPMENT PURCHASES.

Appropriation History:

Year	Amount	Description
2021	1,500,000	CONTINUATION OF THIS PROJECT $500,000; PURCHASE/INSTALLATION OF SENIOR FITNESS EQUIPMENT $1,000,000

Total Appropriation History:

1,500,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	127	1,000,000	0	PRC - OUTDOOR FITNESS EQUIPMENT FOR SENIORS
21	13	500,000	0	PRC EQUIPMENT REPLACEMENT

Total Financing History:
1,500,000

Recommended By:

Department of Planning	**Date**
WBB4	09-14-2021
Department of Public Works	**Date**
RJB4	09-15-2021
Budget Department	**Date**
GKGA	09-15-2021
Requesting Department	**Date**
KUU1	09-16-2021

GENERAL INFRASTRUCTURE - EQUIPMENT ACQUISITION (2021-2025)
(RGP13)

User Department : Parks, Recreation & Conservation

Managing Department(s) : Parks, Recreation & Conservation ; Public Works ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	3,500	1,500	474	500	500	500	500		
Non County Share									
Total	3,500	1,500	474	500	500	500	500		

Project Description

This project funds the continued acquisition of heavy equipment and vehicles throughout the Parks system.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	500,000			500,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2021	1,500,000	Continuation of this project $500,000; Purchase/installation of senior fitness equipment $1,000,000	IN PROGRESS
Total	1,500,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	1,500,000		1,500,000
Total	1,500,000		1,500,000

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
13	21	500,000			500,000
127	21	1,000,000			1,000,000
Total		1,500,000			1,500,000

ACT NO. -2021

HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER

Your Committee is in receipt of a communication from the County Executive recommending the adoption of an Act authorizing and directing the Commissioner of Finance of the County of Westchester to pay Mortgage Tax receipts to cities, towns and villages. The Mortgage Taxes to be distributed to the cities, town and villages for the period from April 1, 2021 through September 30, 2021 totals $31,499,449.20 and will be apportioned as prescribed in the attached report of the County Clerk and the Commissioner of Finance in accordance with the requirements of Section 261(3) of the New York State Tax Law.

Approval of this Act requires an affirmative vote by a majority of all members of the Board of Legislators. After due consideration, your Committee recommends the adoption of the attached Act.

Dated: November 12, 2021

White Plains, New York

COMMITTEE ON

Budget & Appropriations

Dated: November 12, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Budget & Appropriations

Catherine F. Parker

Damon R. Maher

FISCAL IMPACT STATEMENT

SUBJECT: Mtge Tax Receipts to Cities, Towns & Villages ☒ **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 $ 0

Total Current Year Revenue $ 0

Source of Funds (check one): ☐ Current Appropriations

☐ Transfer of Existing Appropriations ☐ Additional Appropriations ☒ Other (explain)

Identify Accounts:

Potential Related Operating Budget Expenses: Annual Amount $ none

Describe: 711-5574

Potential Related Revenues: Annual Amount $ _____

Describe: Pass Through

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

Current Year: None

Next Four years: None

Prepared by: Mario Arena 10-28-21

Title: Manager - Fiscal Ops

Department: Finance

Reviewed By: PH

Budget Director

10/25/21

If you need more space, please attach additional sheets.

2020 FIXED-DOLLAR PARTIAL EXEMPTIONS ADDED BACK TO ADJUSTED COUNTY TAXABLE VALUE

MUNICIPALITY	REPORTED TAXABLE ASSESSED VALUE	VETERANS	CLERGY	VOLUNTEER FIRE COMPANIES	ADJUSTED TAXABLE VALUE
City of Mount Vernon	$ 147,125,656.00	$ 238,084.00	$ 43,500.00	0	$ 147,407,240.00
City of New Rochelle	$ 264,503,117.00	$ 318,836.00	$ 28,500.00	0	$ 264,850,453.00
City of Peekskill	$ 63,587,281.00	$ 42,210.00	$ 7,500.00	0	$ 63,636,991.00
City of Rye	$ 141,347,177.00	$ 115,092.00	$ 4,500.00	0	$ 141,466,769.00
City of White Plains	$ 283,769,745.00	$ 385,143.00	$ 30,000.00	0	$ 284,184,888.00
City of Yonkers	$ 460,210,993.00	1,185,533	$ 22,500.00	0	$ 461,419,026.00
Town of Bedford	$ 592,144,304.00	$ -	$ 1,500.00	0	$ 592,145,804.00
Town of Cortlandt	$ 109,479,604.00	$ 478,192.00	$ 12,000.00	0	$ 109,969,796.00
Town of Eastchester	$ 101,251,074.00	$ 322,515.00	$ 10,500.00	0	$ 101,584,089.00
Town of Greenburgh	$ 20,800,512,109.00	$ 41,177,415.00	$ 22,500.00	0	$ 20,841,712,024.00
Town of Harrison	$ 127,305,082.00	$ 202,600.00	$ 1,500.00	0	$ 127,509,182.00
Town of Lewisboro	$ 293,789,394.00	$ 27,700.00	$ 1,500.00	0	$ 293,818,594.00
Town of Mamaroneck	$ 9,763,319,062.00	$ 13,216,870.00	$ 1,500.00	0	$ 9,776,537,432.00
Town of Mount Kisco	$ 292,045,576.00	$ -	$ 3,000.00	0	$ 292,048,576.00
Town of Mount Pleasant	$ 142,594,651.00	$ 346,522.00	$ 6,000.00	0	$ 142,947,173.00
Town of New Castle	$ 1,061,234,211.00	$ -	$ 1,500.00	0	$ 1,061,235,711.00
Town of North Castle	$ 121,297,134.00	$ 70,000.00	$ 1,500.00	0	$ 121,368,634.00
Town of North Salem	$ 1,396,428,749.00	$ 45,790.00	$ 1,500.00	0	$ 1,396,476,039.00
Town of Ossining	$ 5,185,008,083.00	$ 3,996,516.00	$ 10,500.00	0	$ 5,189,015,099.00
Town of Pelham	$ 3,498,415,734.00	$ 2,017,883.00	$ 1,500.00	0	$ 3,500,435,117.00
Town of Pound Ridge	$ 376,183,897.00	$ 6,300.00	$ -	0	$ 376,190,197.00
Town of Rye	$ 8,255,501,837.00	$ 13,410,590.00	$ 6,000.00	0	$ 8,268,918,427.00
Town of Scarsdale	$ 8,968,328,380.00	$ 16,697,431.00	$ -	0	$ 8,985,025,811.00
Town of Somers	$ 499,914,793.00	$ 24,658.00	$ 1,500.00	0	$ 499,940,951.00
Town of Yorktown	$ 130,105,169.00	$ 507,541.00	$ 4,500.00	0	$ 130,617,210.00
TOTALS:	$ 63,075,402,812.00	$ 94,833,421.00	$ 225,000.00	0	$ 63,170,461,233.00

NOTE:
Chapter 280 of the Laws of 1985 requires that counties wishing to use equalization rates calculated by the then Office of Real Property Services add certain "fixed-dollar" exemptions back to stated taxable value when apportioning the county tax levy. Individual municipalities will, however, continue to use the stated taxable value to set the tax rate.

used

County of Westchester
Mortgage Tax Allocation - Dept of Finance
4-01-21 to 9-30-21

Town/City	Village	2020 Taxable Assessed Value	2020 Detail taxable Village/town Outside Breakdown	12/15/2021 Tax to be Distributed	% of Distribution	12/15/2021 Distribution	
Bedford		592,144,304		946,264.34	1.000000	$ 946,264.34	
Cortlandt		109,479,604	81,753,094	1,351,002.13	0.873371	$ 1,179,926.55	
	Buchanan		6,929,805		0.031649	$ 42,757.65	
	Croton		20,796,705		0.094980	$ 128,317.93	
Eastchester		101,251,074	54,467,583	1,370,891.09	0.768973	$ 1,054,178.05	
	Bronxville		33,456,177		0.165214	$ 226,490.31	
	Tuckahoe		13,327,314		0.065813	$ 90,222.73	
Greenburgh		20,800,512,109	10,569,664,364	3,357,211.99	0.754072	$ 2,531,580.28	
	Ardsley		1,128,629,782		0.027130	$ 91,080.68	
	Dobbs Ferry		2,109,483,358		0.050707	$ 170,235.78	
	Elmsford		1,003,198,598		0.024115	$ 80,958.35	
	Hastings		1,930,570,667		0.046407	$ 155,797.49	
	Irvington		1,903,248,506		0.045750	$ 153,592.58	
	Tarrytown		2,155,716,834		0.051819	$ 173,966.83	
Harrison		127,305,082		1,321,269.59	0.500000	$ 660,634.80	
	Harrison				0.500000	$ 660,634.80	
Lewisboro		293,789,394		679,365.66	1.000000	$ 679,365.66	
Mamaroneck		9,763,319,062	4,295,627,541	1,967,285.15	0.719988	$ 1,416,421.85	
	Larchmont		2,846,437,593		0.145772	$ 286,775.14	
	Mamaroneck		2,621,253,928		0.134240	$ 264,088.16	(1)
Mt. Kisco		292,045,576		230,492.00	0.500000	$ 115,246.00	
	Mt. Kisco				0.500000	$ 115,246.00	
Mt. Pleasant		142,594,651	104,182,146	1,495,960.07	0.865309	$ 1,294,467.33	
	Briarcliff Manor		2,543,818		0.008920	$ 13,343.59	(2)
	Pleasantville		20,050,779		0.070307	$ 105,176.33	
	Sleepy Hollow		15,817,908		0.055465	$ 82,972.81	
Mt. Vernon		147,125,656		1,008,261.23	1.000000	$ 1,008,261.23	
New Castle		1,061,234,211		1,232,397.38	1.000000	$ 1,232,397.38	
New Rochelle		264,503,117		1,718,628.58	1.000000	$ 1,718,628.58	
No. Castle		121,297,134		1,009,961.25	1.000000	$ 1,009,961.25	
No. Salem		1,396,428,749		209,113.01	1.000000	$ 209,113.01	
Ossining		5,185,008,083	989,355,839	874,320.72	0.595405	$ 520,575.30	
	Briarcliff Manor		1,982,748,285		0.191200	$ 167,170.22	(2)
	Ossining		2,212,903,959		0.213394	$ 186,575.19	
Peekskill		63,587,281		405,091.06	1.000000	$ 405,091.06	
Pelham		3,498,415,734		821,194.75	0.500000	$ 410,597.38	
	Pelham		1,568,797,572		0.224215	$ 184,124.53	
	Pelham Manor		1,929,618,162		0.275785	$ 226,472.84	
Pound Ridge		376,183,897		362,456.76	1.000000	$ 362,456.76	
Rye City		141,347,177		1,490,742.72	1.000000	$ 1,490,742.72	
Rye Town		8,255,501,837		1,346,925.89	0.500000	$ 673,462.95	
	Mamaroneck		1,779,713,215		0.107790	$ 145,184.50	(1)
	Port Chester		3,410,035,832		0.206531	$ 278,182.09	
	Rye Brook		3,065,752,790		0.185679	$ 250,096.35	
Scarsdale		8,968,328,380		1,831,962.33	0.500000	$ 915,981.17	
	Scarsdale				0.500000	$ 915,981.17	
Somers		499,914,793		748,462.88	1.000000	$ 748,462.88	
White Plains		283,769,745		1,245,079.85	1.000000	$ 1,245,079.85	
Yonkers		460,210,993		3,209,000.34	1.000000	$ 3,209,000.34	
Yorktown		130,105,169		1,266,108.43	1.000000	$ 1,266,108.43	
		63,075,402,812.00	47,856,082,154.00	31,499,449.20		$ 31,499,449.20	
		63,075,402,812.00		31,499,449.20			
		-		-			

(1) (2) combined payments

2020 VILLAGE/TOWN-OUTSIDE BREAKDOWN OF COUNTY TAXABLE ASSESSED VALUE

MUNICIPALITY		TAXABLE ASSESSED VALUE ($)
TOWN	VILLAGE	
Cortlandt	Buchanan	6,929,805
	Croton	20,796,705
	Unincorporated Area	81,753,094
Eastchester	Bronxville	33,456,177
	Tuckahoe	13,327,314
	Unincorporated Area	54,467,583
Greenburgh	Ardsley	1,128,629,782
	Dobbs Ferry	2,109,483,358
	Elmsford	1,003,198,598
	Hastings	1,930,570,667
	Irvington	1,903,248,506
	Tarrytown	2,155,716,834
	Unincorporated Area	10,569,664,364
Mamaroneck	Larchmont	2,846,437,593
	Mamaroneck	2,621,253,928
	Unincorporated Area	4,295,627,541
Mt. Pleasant	Briarcliff Manor	2,543,818
	Pleasantville	20,050,779
	Sleepy Hollow	15,817,908
	Unincorporated Area	104,182,146
Ossining	Briarcliff Manor	1,982,748,285
	Ossining	2,212,903,959
	Unincorporated Area	989,355,839
Pelham	Pelham	1,568,797,572
	Pelham Manor	1,929,618,162
Rye Town	Mamaroneck	1,779,713,215
	Port Chester	3,410,035,832
	Rye Brook	3,065,752,790

NOTE:
(1) Harrison, Mt. Kisco and Scarsdale are coterminous town/villages; therefore, there is no village/town outside breakdown for these municipalities.

(2) Unincorporated area represents area outside villages. Pelham and Rye Town do not have unincorporated areas.

AU-202 (1/88)

PART II

DISTRIBUTION STATEMENT

(Columns 1 through 5)

The 'taxes collected' shown in column 2 were produced by mortgages covering real property in the respective tax districts. Additions and deductions to make adjustments and correct errors are recorded in column 3 and 4, respectively. Authority for these additions and deductions is given by the orders of the Tax Department noted on the bottom of this part.

CREDIT STATEMENT

(Column 6)

This column is the net amount due each tax district for which the Board of Supervisors shall issue its warrant or warrants.

1	2	3	4	5	6
Tax districts	Taxes collected	*Additions	*Deductions	Amount of 'Taxes Collected' as adjusted and corrected	Net Amount due each tax district
BEDFORD	951,487.21			951,487.21	946,264.34
CORTLANDT	1,358,458.94			1,358,458.94	1,351,002.13
EASTCHESTER	1,378,457.68			1,378,457.68	1,370,891.09
GREENBURGH	3,375,742.01			3,375,742.01	3,357,211.99
HARRISON	1,328,562.29			1,328,562.29	1,321,269.59
LEWISBORO	683,115.40			683,115.40	679,365.66
MAMARONECK	1,978,143.52			1,978,143.52	1,967,285.15
MT. KISCO	231,764.19			231,764.19	230,492.00
MT. PLEASANT	1,504,216.97			1,504,216.97	1,495,960.07
MT. VERNON	1,013,826.29			1,013,826.29	1,008,261.23
NEW CASTLE	1,239,199.56			1,239,199.56	1,232,397.38
NEW ROCHELLE	1,728,114.49			1,728,114.49	1,718,628.58
NORTH CASTLE	1,015,535.70			1,015,535.70	1,009,961.25
NORTH SALEM	210,267.20			210,267.20	209,113.01
OSSINING	879,146.50			879,146.50	874,320.72
PEEKSKILL	407,326.95			407,326.95	405,091.06
PELHAM	825,727.31			825,727.31	821,194.75
POUND RIDGE	364,457.33			364,457.33	362,456.76
RYE CITY	1,498,970.83			1,498,970.83	1,490,742.72
RYE TOWN	1,357,614.41		3,254.21	1,354,360.20	1,346,925.89
SCARSDALE	1,842,073.79			1,842,073.79	1,831,962.33
SOMERS	752,594.00			752,594.00	748,462.88
WHITE PLAINS	1,251,952.03			1,251,952.03	1,245,079.85
YONKERS	3,226,712.31			3,226,712.31	3,209,000.34
YORKTOWN	1,273,096.67			1,273,096.67	1,266,108.43
Total tax districts					
Totals	31,676,563.58	$0.00	3,254.21	31,673,309.37	31,499,449.20

*see refund, adjustment and special adjustment orders of Commissioner of Taxation and Finance, case numbers.

PART I

NEW YORK STATE MORTGAGE TAX SEMI-ANNUAL REPORT
COUNTY OF WESTCHESTER FOR THE PERIOD
CASH STATEMENT FOR TAXES COLLECTED PURSUANT TO ARTICLE 11

04/01/2021 THROUGH 09/30/2021

Months	BASIC TAX DISTRIBUTED					TREASURER			ALL OTHER TAXES DISTRIBUTED				
	1 Basic tax collected	2 Interest received by recording officer	3 Recording officer's expense	4 Refunds or adjustments	5 Amount paid treasurer (Col 1 + Col 2 - Col 3 - Col 4)	6 Interest received by treasurer	7 Treasurer's expense	8 Tax districts share (Col 5 + Col 6 - Col 7)	9 Local tax	10 Additional tax	11 Special assistance fund	12 Special additional tax	13 County Tax
Apr-21	$4,797,436.78	$1,309.35	$30,082.77	$0.00	$4,768,663.36				$526,266.77	$3,088,669.13	$2,069,801.22	$257,703.36	$2,385,992.18
May-21	$4,427,865.00	$1,446.52	$29,820.55	$0.00	$4,399,490.97				$414,980.13	$3,030,629.44	$1,933,944.60	$210,629.45	$2,199,745.49
Jun-21	$5,251,408.50	$1,123.37	$30,668.39	($3,254.21)	$5,218,609.27				$598,819.03	$3,089,139.43	$2,347,986.74	$196,046.91	$2,609,304.64
Jul-21	$6,044,217.15	$889.43	$31,009.12	$0.00	$6,014,097.46				$507,854.67	$3,549,715.70	$2,715,990.01	$216,541.60	$3,007,048.73
Aug-21	$5,827,171.00	$960.28	$30,051.66	$0.00	$5,798,079.62				$581,874.84	$3,839,621.34	$2,570,715.98	$248,610.55	$2,899,039.81
Sep-21	$5,328,465.15	$883.07	$28,839.70	$0.00	$5,300,508.52				$586,454.11	$4,057,340.99	$2,223,197.80	$362,692.53	$2,655,095.34
Totals	$31,676,563.58	$6,612.02	$180,472.19	($3,254.21)	$31,499,449.20	$0.00	$0.00	$0.00	$3,216,249.55	$20,655,116.03	$13,861,636.35	$1,492,224.40	$15,756,226.19

for _____ Recording Officer

_____ Treasurer

County of Westchester
Mortgage Tax
4 year comparison

Town/City Village		12 Mth 2021 vs 2020	12 Mth 2021 vs 2020	2021 12 Mth	2020 12 Mth	2019 12 Mth	2018 12 Mth	December 6 Mth 2021 vs 2020	December 6 Mth 2021 vs 2020	December 6 Mth Dec-21	December 6 Mth Dec-20	December 6 Mth Dec-19	December 6 Mth Dec-18	June 6 Mth 2021 vs 2020	June 6 Mth 2021 vs 2020	June 6 Mth 2021	June 6 Mth 2020	6 Mth June 2019	6 Mth June 2018
Bedford		63%	$ 722,478.48	$ 1,870,523.02	$ 1,148,044.54	$ 814,474.49	$ 843,815.83	42%	$ 281,670.59	$ 946,264.34	$ 664,593.75	363,604.81	444,341.00	91%	$ 440,807.89	$ 924,258.68	$ 483,450.79	$ 450,869.68	$ 399,474.83
Cortlandt		56%	$ 827,578.86	$ 2,311,746.74	$ 1,484,167.88	$ 1,298,102.11	$ 1,130,648.85	65%	$ 462,732.07	$ 1,179,926.55	$ 717,194.48	762,668.79	569,176.24	48%	$ 364,846.79	$ 1,131,820.20	$ 766,973.41	$ 535,433.32	$ 561,472.61
	Buchanan	56%	$ 30,019.61	$ 83,772.04	$ 53,752.43	$ 46,926.14	$ 41,828.53	65%	$ 16,782.86	$ 42,757.65	$ 25,974.79	27,570.33	21,056.76	48%	$ 13,238.75	$ 41,014.39	$ 27,777.64	$ 19,355.81	$ 20,771.77
	Croton	56%	$ 90,549.35	$ 251,404.26	$ 160,854.92	$ 140,764.94	$ 123,935.15	65%	$ 50,588.01	$ 128,317.93	$ 77,729.92	82,703.07	62,389.79	48%	$ 39,861.34	$ 123,086.33	$ 83,124.99	$ 58,061.87	$ 61,545.36
Eastchester		18%	$ 306,576.79	$ 1,966,098.57	$ 1,659,521.78	$ 1,120,854.33	$ 1,308,743.91	39%	$ 293,316.06	$ 1,054,178.05	$ 760,861.99	724,450.75	601,175.93	1%	$ 13,260.73	$ 911,920.52	$ 898,659.79	$ 396,403.58	$ 707,567.98
	Bronxville	18%	$ 65,165.80	$ 422,416.58	$ 357,250.77	$ 241,231.03	$ 279,556.64	38%	$ 62,697.02	$ 226,490.31	$ 163,793.29	155,916.78	128,415.29	1%	$ 2,468.78	$ 195,926.26	$ 193,457.48	$ 85,314.25	$ 151,141.35
	Tuckahoe	20%	$ 27,771.75	$ 168,270.22	$ 140,498.47	$ 95,213.26	$ 110,879.15	40%	$ 25,806.61	$ 90,222.73	$ 64,416.11	61,539.95	50,932.71	3%	$ 1,965.14	$ 78,047.50	$ 76,082.35	$ 33,673.31	$ 59,946.44
Greenburgh		63%	$ 1,871,500.42	$ 4,847,656.69	$ 2,976,156.27	$ 3,732,645.24	$ 3,385,216.85	63%	$ 980,076.50	$ 2,531,580.28	$ 1,551,503.78	2,306,114.21	1,739,840.05	63%	$ 891,423.92	$ 2,316,076.41	$ 1,424,652.49	$ 1,426,531.03	$ 1,645,376.80
	Ardsley	62%	$ 67,055.25	$ 174,408.00	$ 107,352.75	$ 135,627.90	$ 121,681.43	63%	$ 35,116.48	$ 91,080.68	$ 55,964.20	83,794.04	62,538.45	62%	$ 31,938.77	$ 83,327.32	$ 51,388.55	$ 51,833.86	$ 59,142.97
	Dobbs Ferry	64%	$ 126,744.43	$ 325,980.03	$ 199,235.60	$ 244,422.22	$ 216,023.30	64%	$ 66,372.02	$ 170,235.78	$ 103,863.76	151,009.68	111,025.68	63%	$ 60,372.41	$ 155,744.25	$ 95,371.84	$ 93,412.54	$ 104,997.62
	Elmsford	69%	$ 63,071.31	$ 155,025.03	$ 91,953.71	$ 112,840.13	$ 102,801.65	69%	$ 33,021.85	$ 80,958.35	$ 47,936.51	69,715.23	52,835.15	68%	$ 30,049.47	$ 74,066.67	$ 44,017.21	$ 43,124.90	$ 49,966.50
	Hastings	62%	$ 114,735.11	$ 298,332.52	$ 183,597.41	$ 228,131.21	$ 204,388.20	63%	$ 60,086.09	$ 155,797.49	$ 95,711.40	140,944.72	105,045.79	62%	$ 54,649.02	$ 142,535.03	$ 87,886.01	$ 87,186.49	$ 99,342.41
	Irvington	60%	$ 109,870.43	$ 294,110.41	$ 184,239.98	$ 230,561.30	$ 208,113.36	60%	$ 57,546.20	$ 153,592.58	$ 96,046.38	142,446.08	106,960.34	59%	$ 52,324.22	$ 140,517.83	$ 88,193.60	$ 88,115.22	$ 101,153.01
	Tarrytown	61%	$ 126,353.06	$ 333,124.52	$ 206,771.46	$ 259,415.13	$ 232,463.62	61%	$ 66,174.54	$ 173,966.83	$ 107,792.29	160,272.64	119,475.22	61%	$ 60,178.52	$ 159,157.69	$ 98,979.17	$ 99,142.49	$ 112,988.40
Harrison		58%	$ 465,338.09	$ 1,264,772.46	$ 799,434.37	$ 997,076.68	$ 647,219.09	60%	$ 248,635.95	$ 660,634.80	$ 411,998.85	411,875.09	340,245.60	56%	$ 216,702.15	$ 604,137.67	$ 387,435.52	$ 585,201.59	$ 306,973.49
	Harrison	58%	$ 465,338.09	$ 1,264,772.46	$ 799,434.37	$ 997,076.68	$ 647,219.09	60%	$ 248,635.95	$ 660,634.80	$ 411,998.85	411,875.09	340,245.60	56%	$ 216,702.15	$ 604,137.67	$ 387,435.52	$ 585,201.59	$ 306,973.49
Lewisboro		80%	$ 585,381.75	$ 1,317,029.71	$ 731,647.96	$ 497,661.84	$ 573,355.65	54%	$ 238,103.05	$ 679,365.66	$ 441,262.61	269,343.91	313,226.87	120%	$ 347,278.70	$ 637,664.05	$ 290,385.35	$ 228,317.93	$ 260,128.78
Mamaroneck		59%	$ 854,360.43	$ 2,300,532.64	$ 1,446,172.21	$ 1,247,050.43	$ 1,237,495.82	50%	$ 469,440.16	$ 1,416,421.85	$ 946,981.68	829,664.51	777,789.80	77%	$ 384,920.26	$ 884,110.79	$ 499,190.53	$ 417,385.92	$ 459,706.02
	Larchmont	59%	$ 173,677.61	$ 465,776.19	$ 292,098.58	$ 252,603.70	$ 252,352.93	50%	$ 95,503.31	$ 286,775.14	$ 191,271.83	168,057.62	158,608.64	78%	$ 78,174.30	$ 179,001.05	$ 100,826.75	$ 84,546.08	$ 93,744.28
	Mamaroneck	59%	$ 159,241.33	$ 428,928.31	$ 269,686.98	$ 231,392.46	$ 231,976.07	50%	$ 87,491.88	$ 264,088.16	$ 176,596.28	153,945.75	145,801.40	77%	$ 71,749.45	$ 164,840.15	$ 93,090.70	$ 77,446.71	$ 86,174.67
Mt. Kisco		81%	$ 118,206.48	$ 263,468.03	$ 145,261.55	$ 166,158.51	$ 143,975.84	32%	$ 27,911.87	$ 115,246.00	$ 87,334.14	69,358.43	68,136.06	156%	$ 90,294.62	$ 148,222.03	$ 57,927.41	$ 96,800.08	$ 75,839.78
	Mt. Kisco	81%	$ 118,206.48	$ 263,468.03	$ 145,261.55	$ 166,158.51	$ 143,975.84	32%	$ 27,911.87	$ 115,246.00	$ 87,334.14	69,358.43	68,136.06	156%	$ 90,294.62	$ 148,222.03	$ 57,927.41	$ 96,800.08	$ 75,839.78
Mt. Pleasant		69%	$ 1,115,984.49	$ 2,745,050.70	$ 1,629,066.21	$ 2,024,241.72	$ 1,503,921.04	34%	$ 327,845.43	$ 1,294,467.33	$ 966,621.90	1,439,326.36	826,855.30	119%	$ 788,139.06	$ 1,450,583.37	$ 662,444.31	$ 584,915.36	$ 677,065.74
	Briarcliff	70%	$ 11,694.12	$ 28,296.46	$ 16,602.34	$ 20,618.81	$ 15,264.15	35%	$ 3,492.44	$ 13,343.59	$ 9,851.15	14,660.90	8,392.23	121%	$ 8,201.68	$ 14,952.86	$ 6,751.18	$ 5,957.91	$ 6,871.93
	Pleasantville	71%	$ 92,544.62	$ 223,037.20	$ 130,492.58	$ 159,164.80	$ 114,964.53	36%	$ 27,747.32	$ 105,176.33	$ 77,429.01	113,173.29	63,207.46	122%	$ 64,797.30	$ 117,860.86	$ 53,063.57	$ 45,991.51	$ 51,757.07
	Sleepy Hollow	72%	$ 73,855.99	$ 175,952.36	$ 102,096.37	$ 125,311.73	$ 88,853.56	37%	$ 22,392.96	$ 82,972.81	$ 60,579.85	89,102.24	48,851.66	124%	$ 51,463.03	$ 92,979.54	$ 41,516.52	$ 36,209.49	$ 40,001.90
Mt. Vernon		10%	$ 169,984.72	$ 1,838,159.89	$ 1,668,175.17	$ 1,383,524.30	$ 1,651,398.79	57%	$ 364,266.10	$ 1,008,261.23	$ 643,995.13	723,703.36	672,952.51	-19%	$ (194,281.38)	$ 829,898.66	$ 1,024,180.04	$ 659,820.94	$ 978,446.28
New Castle		63%	$ 817,528.47	$ 2,116,327.01	$ 1,298,798.54	$ 982,776.54	$ 1,148,043.59	48%	$ 400,967.38	$ 1,232,397.38	$ 831,430.00	622,097.65	767,397.65	89%	$ 416,561.09	$ 883,029.63	$ 467,368.54	$ 360,678.89	$ 380,645.94
New Rochelle		55%	$ 1,327,486.71	$ 3,729,094.55	$ 2,401,607.84	$ 2,512,995.07	$ 2,149,880.77	38%	$ 476,190.20	$ 1,718,628.58	$ 1,242,438.38	1,504,308.75	1,104,576.55	73%	$ 851,296.51	$ 2,010,465.97	$ 1,159,169.46	$ 1,008,686.32	$ 1,045,304.22
No. Castle		50%	$ 551,851.24	$ 1,663,525.35	$ 1,111,674.11	$ 797,509.60	$ 822,954.55	54%	$ 352,026.98	$ 1,009,961.25	$ 657,934.27	527,463.26	455,855.72	44%	$ 199,824.26	$ 653,584.10	$ 453,739.84	$ 270,046.34	$ 367,098.83
No. Salem		39%	$ 124,697.24	$ 441,571.72	$ 316,874.48	$ 187,949.34	$ 182,938.43	43%	$ 62,451.38	$ 209,113.01	$ 146,661.63	104,590.04	114,836.98	37%	$ 62,245.86	$ 232,458.71	$ 170,212.85	$ 83,359.30	$ 68,101.45
Ossining		40%	$ 297,102.12	$ 1,045,648.58	$ 748,546.44	$ 583,514.93	$ 660,906.74	27%	$ 111,856.69	$ 520,575.30	$ 408,718.61	354,521.68	381,387.14	55%	$ 185,245.43	$ 525,073.26	$ 339,827.83	$ 228,993.25	$ 279,519.60
	Briarcliff	38%	$ 92,904.40	$ 335,784.85	$ 242,880.46	$ 186,256.88	$ 211,646.41	26%	$ 34,553.52	$ 167,170.22	$ 132,616.71	113,162.66	122,134.06	53%	$ 58,350.88	$ 168,614.63	$ 110,263.75	$ 73,094.22	$ 89,512.36
	Ossining	42%	$ 109,950.12	$ 374,782.46	$ 264,812.35	$ 208,923.88	$ 234,928.71	29%	$ 41,983.32	$ 186,575.19	$ 144,591.88	126,934.28	135,569.49	57%	$ 67,966.80	$ 188,187.27	$ 120,220.47	$ 81,989.60	$ 99,359.22
Peekskill		47%	$ 264,910.60	$ 830,956.30	$ 566,045.70	$ 578,630.90	$ 512,093.32	70%	$ 166,713.80	$ 405,091.06	$ 238,377.26	272,853.67	238,005.65	30%	$ 98,196.80	$ 425,885.24	$ 327,668.44	$ 305,777.23	$ 276,087.67
Pelham		83%	$ 325,380.27	$ 715,419.61	$ 390,039.34	$ 424,108.95	$ 372,682.03	64%	$ 160,803.93	$ 410,597.38	$ 249,793.45	277,986.21	227,144.92	117%	$ 164,576.34	$ 304,822.24	$ 140,245.90	$ 146,122.74	$ 145,537.12
	Pelham	84%	$ 146,332.02	$ 320,816.23	$ 174,484.21	$ 189,656.24	$ 166,268.27	65%	$ 72,379.36	$ 184,124.53	$ 111,745.17	124,311.97	101,338.38	118%	$ 73,952.65	$ 136,691.70	$ 62,739.04	$ 65,344.27	$ 64,929.89
	Pelham Manor	83%	$ 179,048.25	$ 394,603.38	$ 215,555.13	$ 234,452.69	$ 206,413.76	64%	$ 88,424.57	$ 226,472.84	$ 138,048.27	153,674.23	125,806.54	117%	$ 90,623.69	$ 168,130.54	$ 77,506.85	$ 80,778.46	$ 80,607.22
Pound Ridge		54%	$ 238,602.82	$ 681,615.58	$ 443,012.76	$ 303,455.03	$ 335,758.51	28%	$ 78,362.55	$ 362,456.76	$ 284,094.21	170,758.12	140,911.22	101%	$ 160,240.27	$ 319,158.82	$ 158,918.55	$ 132,696.91	$ 194,847.29
Rye City		38%	$ 667,145.01	$ 2,406,375.30	$ 1,739,230.29	$ 2,168,093.60	$ 1,622,742.88	37%	$ 402,136.91	$ 1,490,742.72	$ 1,088,605.81	1,034,032.35	1,003,525.54	41%	$ 265,008.10	$ 915,632.58	$ 650,624.48	$ 1,134,061.25	$ 619,217.34
Rye Town		45%	$ 380,617.63	$ 1,218,170.48	$ 837,552.85	$ 755,075.41	$ 937,550.11	39%	$ 190,160.41	$ 673,462.95	$ 483,302.54	399,504.26	562,498.14	54%	$ 190,457.22	$ 544,707.53	$ 354,250.31	$ 355,571.15	$ 375,051.97
	Mamaroneck	42%	$ 77,111.95	$ 262,612.03	$ 185,500.08	$ 168,107.42	$ 207,502.28	36%	$ 38,143.30	$ 145,184.50	$ 107,041.20	88,944.27	124,494.30	50%	$ 38,968.65	$ 117,427.53	$ 78,458.88	$ 79,163.15	$ 83,007.98
	Port Chester	55%	$ 179,363.62	$ 503,180.19	$ 323,816.57	$ 289,066.62	$ 352,386.34	49%	$ 91,326.57	$ 278,182.09	$ 186,855.52	152,942.80	211,419.80	64%	$ 88,037.04	$ 224,998.10	$ 136,961.05	$ 136,123.82	$ 140,966.53
	Rye Brook	38%	$ 124,142.06	$ 452,378.26	$ 328,236.20	$ 297,901.36	$ 377,661.49	32%	$ 60,690.53	$ 250,096.35	$ 189,405.83	157,617.19	226,584.04	46%	$ 63,451.53	$ 202,281.90	$ 138,830.37	$ 140,284.17	$ 151,077.46
Scarsdale		60%	$ 606,275.65	$ 1,620,597.01	$ 1,014,321.36	$ 731,514.09	$ 947,509.70	57%	$ 331,370.63	$ 915,981.17	$ 584,610.54	470,066.97	533,776.12	64%	$ 274,905.03	$ 704,615.84	$ 429,710.82	$ 261,447.12	$ 413,733.58
	Scarsdale	60%	$ 606,275.65	$ 1,620,597.01	$ 1,014,321.36	$ 731,514.09	$ 947,509.70	57%	$ 331,370.63	$ 915,981.17	$ 584,610.54	470,066.97	533,776.12	64%	$ 274,905.03	$ 704,615.84	$ 429,710.82	$ 261,447.12	$ 413,733.58
Somers		64%	$ 590,379.24	$ 1,506,862.06	$ 916,482.82	$ 697,779.67	$ 903,111.39	50%	$ 249,666.20	$ 748,462.88	$ 498,796.68	377,642.03	389,427.52	82%	$ 340,713.04	$ 758,399.18	$ 417,686.14	$ 320,137.64	$ 513,683.87
White Plains		-7%	$ (176,769.36)	$ 2,447,040.00	$ 2,623,809.36	$ 2,461,739.87	$ 2,417,623.13	50%	$ 412,873.07	$ 1,245,079.85	$ 832,206.78	1,531,521.44	1,469,425.42	-33%	$ (589,642.43)	$ 1,201,960.15	$ 1,791,602.58	$ 930,218.43	$ 948,197.71
Yonkers		44%	$ 1,870,500.03	$ 6,107,193.89	$ 4,236,693.86	$ 4,639,160.92	$ 4,137,013.46	56%	$ 1,149,248.47	$ 3,209,000.34	$ 2,059,751.87	2,578,158.75	2,086,594.66	33%	$ 721,251.56	$ 2,898,193.55	$ 2,176,941.99	$ 2,061,002.17	$ 2,050,418.80
Yorktown		70%	$ 1,064,108.89	$ 2,591,766.79	$ 1,527,657.90	$ 1,275,698.45	$ 1,588,927.36	68%	$ 514,251.82	$ 1,266,108.43	$ 751,856.61	674,627.61	675,002.90	71%	$ 549,857.07	$ 1,325,658.36	$ 775,801.29	$ 601,070.84	$ 913,924.46
		48%	$ 19,418,229.49	$ 59,469,011.67	$ 40,050,782.18	$ 38,375,131.13	$ 37,006,121.76	50%	$ 10,499,317.41	$ 31,499,449.20	$ 21,000,131.79	$ 22,283,983.22	$ 19,737,146.42	47%	$ 8,918,912.08	$ 27,969,562.47	$ 19,050,650.39	$ 18,091,147.91	$ 17,268,975.34

ACT NO. - 2021

An act to authorize the Commissioner
of the Westchester County Department
of Finance to pay Mortgage Tax Receipts
to Cities, Towns and Villages

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

Section 1. The County of Westchester is hereby authorized and directed to pay, pursuant to Section 261(3) of the New York State Tax Law, as amended, from money on hand applicable for distribution to the Cities, Towns and Villages, an amount totaling $31,499,449.20 in accordance with the attached report of the County Clerk and Commissioner of Finance representing the statement of mortgage taxes received and expenses incurred by the County Clerk for the period of April 1, 2021 through September 30, 2021.

§2. The Commissioner of Finance, or her duly authorized designee is hereby authorized and directed to pay the amount set forth in Section 1 of this Act to the Cities, Towns and Villages, as set forth in the attached report.

§3. This Act shall take effect immediately.

References
BDA02 BIT6D BIT3C BIT45
BIT47 BIT49 BIT53 BIT54

HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act (the "Bond Act") in the total aggregate amount of $7,865,000 to authorize the County of Westchester (the "County") to finance the following eight capital projects for 2022:

BDA02 – Information Technology (2020-2024),
BIT6D – Purchase of Computer Equipment (2021-2025),
BIT3C – Desk Systems (2017-2021),
BIT45 – Building Access Control and Video Surveillance Systems Upgrade,
BIT47 – Network and Security Infrastructure Upgrades (2020-2024),
BIT49 – Police Record Management System Upgrade,
BIT53 – Business Continuity and Disaster Recovery, and
BIT54 – Critical Communication Logging System Replacement 2021-2025.

The Bond Act, in the total amount of $7,865,000, was prepared by the law firm Harris Beach and would authorize the County to issue bonds to finance the acquisition of equipment and furnishings for various departments for the above-referenced capital projects.

It should be noted that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2022 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced projects will be ready to proceed without delay in early 2022. In addition, please note that the proposed Bond Act authorizes financing for like objects or purposes in connection with multiple capital projects. It is hoped that by combining projects that have the same objects and purposes into a single bond act, the County can dramatically reduce the amount of bond legislation that your Honorable Board would be required to review, thereby expediting the approval process and avoiding backlogs.

The Planning Department has advised your Committee that based on its review, the above-referenced capital projects have been classified as Type "II" actions pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this conclusion.

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

Dated: 11/17, 2021
White Plains, New York

Ruth Walker
Catherine Borgia
Vedat Gashi

Ruth Walker
Vedat Gashi

Public Safety

Budget & Appropriation

Public Works & Transportation

COMMITTEE ON

k/MG/10-6-21

Dated: November 17, 2020
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Public Safety	Budget &Appropriations	Public Works & Transportation
Colin O.	Nancy E.	
Margaret A. Cunzio	Margaret A. Cunzio	
Nancy E.		Catherine F. Parker
	Catherine F. Parker	David A. Tabish
	David A. Tabish	

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: IT Equip

☐ **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 $ 7,865,000 **PPU** 5 **Anticipated Interest Rate** 0.40%

Anticipated Annual Cost (Principal and Interest): $ 1,591,929

Total Debt Service (Annual Cost x Term): $ 7,959,645

Finance Department: Interest Rates from October 6, 2021 Bond Buyer - ASBA

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

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): $ -

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: 85

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff ☐ Consultant ☒ Not Applicable

Prepared by: Donna Montera

Title: Dir. Of Admin. Services

Department: Information Technology

Date: 10/14/21

Reviewed By: [signature]

Deputy Budget Director

Date: 10/14/21

Westchestergov.com

Memorandum
Department of Planning

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

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

DATE: October 13, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR 2022 CAPITAL PROJECTS BOND ACT – INFORMATION TECHNOLOGY EQUIPMENT**

In connection with the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617 (SEQR), the Department of Planning has reviewed the proposed bond act legislation that would finance the following capital projects:

Capital Project	Project Title	Fact Sheet ID	Approved by Planning
BDA02	Information Technology (2020-2024)	1787	9/30/2021
BIT3C	Desk Systems 2017-2021	1814	9/30/2021
BIT6D	Purchase of Computer Equipment 2021-2025	1816	9/30/2021
BIT45	Building Access Control & Video Surveillance Systems Upgrade	1815	9/30/2021
BIT47	Network and Security Infrastructure Upgrades 2020-2024	1817	9/30/2021
BIT49	Police Record Management System Upgrade	1822	9/30/2021
BIT53	Business Continuity and Disaster Recovery	1818	9/30/2021
BIT54	Critical Communication Logging System Replacement 2021-2025	1819	9/30/2021

The Planning Department advises that these projects for which funding is being requested may be classified as **TYPE II actions** pursuant to section:

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.

As such, no further environmental review is required.

DSK/dvw

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

REFERENCES BDA02, BIT6D, BIT3C, BIT45,
BIT47, BIT49, BIT53, BIT54

ACT NO. -20___

BOND ACT AUTHORIZING THE ISSUANCE OF $7,865,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ACQUISITION OF EQUIPMENT AND FURNISHINGS FOR VARIOUS DEPARTMENTS; STATING THE ESTIMATED TOTAL MAXIMUM COST THEREOF IS $7,865,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF $7,865,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Adopted , 20___)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, $7,865,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the acquisition of equipment and furnishings for various departments comprised of the following capital projects: BDA02, BIT6D, BIT3C, BIT45, BIT47, BIT49, BIT53 and BIT54, all as set forth in the County's current year Capital Budget, as amended. The total estimated maximum cost of said objects or

purposes, including preliminary costs and costs incidental thereto and the financing thereof is $7,865,000. The plan of financing includes the issuance of $7,865,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness applicable to the objects or purposes for which the bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 89 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 $7,865,000. 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 not earlier than January 1, 2022 and 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___.

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

(SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 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 $7,865,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ACQUISITION OF EQUIPMENT AND FURNISHINGS FOR VARIOUS DEPARTMENTS; STATING THE ESTIMATED TOTAL MAXIMUM COST THEREOF IS $7,865,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF $7,865,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20___)

object or purpose: to finance the cost of acquisition of equipment and furnishings for various departments comprised of the following capital projects: BDA02, BIT6D, BIT3C, BIT45, BIT47, BIT49, BIT53 and BIT54; 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: $7,865,000, five 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:*	☐ **CBA**	**Fact Sheet Date:***
BDA02		10-15-2021
Fact Sheet Year:*	**Project Title:***	**Legislative District ID:**
2022	INFORMATION TECHNOLOGY (2020-2024)	
Category*	**Department:***	**CP Unique ID:**
BUILDINGS, LAND & MISCELLANEOUS	DISTRICT ATTORNEY	1787

Overall Project Description

This project will fund the purchase, upgrade and maintenance of equipment, software and systems. This project includes, but is not limited to the upgrade of hardware and software for forensics, surveillance, security systems, server and storage equipment, networking equipment, desktops systems, off the shelf and proprietary software applications, peripherals and hand-held devices.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	2,480	1,210	355	375	540	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	2,480	1,210	355	375	540	0	0	0

Expended/Obligated Amount (in thousands) as of : 712

Current Bond Description: The request for $355k represents the third phase of this project and will allow the District Attorney's Office to continue to purchase, upgrade and maintain equipment, software and systems to support the needs of the District Attorney's offices located throughout the County.

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	355,000
Cash:	0
Total:	**$ 355,000**

SEQR Classification:

TYPE II

Amount Requested:

355,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2020	500,000	UPGRADE OF THE EMAIL SYSTEM, SERVERS, FORENSIC, SURVEILLANCE EQUIPMENT AND STORAGE SPACE
2021	710,000	PURCHASE OF LICENSE PLATE READER STORAGE AND BACKUP SYSTEMS

Total Appropriation History:

1,210,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
20	14	500,000	0	FIRST PHASE OF UPGRADES TO TECHNOLOGY EQUIPMENT, SOFTWARE, AND SYSTEMS FOR DA'S OFFICE
21	39	710,000	0	UPGRADES TO TECHNOLOGY EQUIPMENT, SOFTWARE, AND SYSTEMS FOR DA'S OFFICE

Total Financing History:
1,210,000

Recommended By:

Department of Planning	**Date**
WBB4	09-30-2021
Department of Public Works	**Date**
RJB4	09-30-2021
Budget Department	**Date**
GKGA	10-01-2021
Requesting Department	**Date**
PADA	10-01-2021

INFORMATION TECHNOLOGY (2020-2024)
(BDA02)

User Department : District Attorney

Managing Department(s) : District Attorney ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	2,480	1,210	714	355	375	540			
Non County Share									
Total	2,480	1,210	714	355	375	540			

Project Description

This project will fund the purchase, upgrade and maintenance of equipment, software and systems. This project includes, but is not limited to the upgrade of hardware and software for forensics, surveillance, security systems, server and storage equipment, networking equipment, desktops systems, off the shelf and proprietary software applications, peripherals and hand-held devices.

Current Year Description

The current year request funds continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	355,000			355,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2020	500,000	Upgrade of the email system, servers, forensic, surveillance equipment and storage space	IN PROGRESS
2021	710,000	Purchase of license plate reader storage and backup systems	IN PROGRESS
Total	1,210,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	1,210,000		1,210,000
Total	1,210,000		1,210,000

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
14	20	500,000			500,000
39	21	710,000			710,000
Total		1,210,000			1,210,000

CAPITAL PROJECT FACT SHEET

Project ID:*
BIT6D

☐ **CBA**

Fact Sheet Date:*
10-15-2021

Fact Sheet Year:*
2022

Project Title:*
PURCHASE OF COMPUTER EQUIPMENT 2021-2025

Legislative District ID:

Category*
BUILDINGS, LAND & MISCELLANEOUS

Department:*
INFORMATION TECHNOLOGY

CP Unique ID:
1816

Overall Project Description
This project funds the purchase of servers, related equipment and services.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	3,750	1,000	750	750	750	500	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,750	1,000	750	750	750	500	0	0

Expended/Obligated Amount (in thousands) as of : 447

Current Bond Description: Bonding is requested for the purchase of equipment, software and related services for the overhaul of the entire storage system which includes hardware for tierd storage implementation.

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	750,000
Cash:	0
Total:	**$ 750,000**

SEQR Classification:
TYPE II

Amount Requested:
750,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2021	1,000,000	FUNDS NEW EQUIPMENT FOR SERVER 2008 MIGRATIONS AND MICROSOFT EXCHANGE SERVERS

Total Appropriation History:
1,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	39	1,000,000	0	ACQUISITION AND INSTALLATION OF SOFTWARE AND APPLIANCES FOR IT

Total Financing History:
1,000,000

Recommended By:

Department of Planning	**Date**
WBB4	09-30-2021
Department of Public Works	**Date**
RJB4	09-30-2021
Budget Department	**Date**
GKGA	10-01-2021
Requesting Department	**Date**
DDMK	10-04-2021

PURCHASE OF COMPUTER EQUIPMENT 2021-2025
(BIT6D)

User Department : Information Technology

Managing Department(s) : Information Technology ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	3,750	1,000	541	750	750	750	500		
Non County Share									
Total	3,750	1,000	541	750	750	750	500		

Project Description

This project funds the purchase of servers, related equipment and services.

Current Year Description

The current year request funds continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	750,000			750,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2021	1,000,000	Funds new equipment for Server 2008 migrations and Microsoft Exchange Servers	IN PROGRESS
Total	1,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	1,000,000		1,000,000
Total	1,000,000		1,000,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
39 21	1,000,000			1,000,000
Total	1,000,000			1,000,000

CAPITAL PROJECT FACT SHEET

Project ID:* BIT3C	☐ **CBA**	**Fact Sheet Date:*** 10-15-2021
Fact Sheet Year:* 2022	**Project Title:*** DESK SYSTEMS 2017 - 2021	**Legislative District ID:**
Category* BUILDINGS, LAND & MISCELLANEOUS	**Department:*** INFORMATION TECHNOLOGY	**CP Unique ID:** 1814

Overall Project Description

The project will fund the purchase of new systems to replace obsolete PC's. This is necessary to avoid accelerating costs in terms of maintenance and productivity loss due to aging equipment.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	3,920	3,920	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,920	3,920	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 1,812

Current Bond Description: This request will be used to replace or virtualize systems that have become obsolete. This is necessary to avoid accelarating costs in terms of maintenance and productivity loss due to aging equipment. We are also replacing All Windows 7 machines with Windows 10 to reduce Cybersecurity Risks and Vulnerabilities.

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	1,960,000
Cash:	0
Total:	**$ 1,960,000**

SEQR Classification:

TYPE II

Amount Requested:

1,960,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2017	980,000	PURCHASE OF COMPUTER EQUIPMENT.
2018	980,000	PURCHASE OF EQUIPMENT.
2020	980,000	CONTINUATION OF THIS PROJECT
2021	980,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

3,920,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
17	67	980,000	644,382	ACQUISITION OF COMPUTER SERVER EQUIPMENT
20	76	980,000	0	ACQUISITION OF COMPUTER EQUIPMENT, HARDWARE AND SOFTWARE FOR DOIT

Total Financing History:
1,960,000

Recommended By:

Department of Planning	**Date**
WBB4	09-30-2021
Department of Public Works	**Date**
RJB4	09-30-2021
Budget Department	**Date**
GKGA	10-01-2021
Requesting Department	**Date**
DDMK	10-04-2021

DESK SYSTEMS 2017 - 2021
(BIT3C)

User Department : Information Technology

Managing Department(s) : Information Technology ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	3,920	3,920	1,953						
Non County Share			3						
Total	3,920	3,920	1,956						

Project Description

The project will fund the purchase of new systems to replace obsolete PC's. This is necessary to avoid accelerating costs in terms of maintenance and productivity loss due to aging equipment.

Current Year Description

There is no current year request.

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2017	980,000	Purchase of computer equipment.	COMPLETE
2018	980,000	Purchase of equipment.	IN PROGRESS
2020	980,000	Continuation of this project	AWAITING BOND AUTHORIZATION
2021	980,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	3,920,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	3,920,000	644,382	3,275,618
Others		(2,541)	2,541
Total	3,920,000	641,841	3,278,159

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
67	17	980,000	12/10/19	473,382	338,159
			12/10/19	93,481	
			10/28/20	65,764	
			10/28/20	9,214	
			10/28/20	2,541	
			10/28/20	(2,541)	
76	20	980,000			980,000
Total		1,960,000		641,841	1,318,159

CAPITAL PROJECT FACT SHEET

Project ID:*	☐ **CBA**	**Fact Sheet Date:***
BIT45		10-15-2021
Fact Sheet Year:*	**Project Title:***	**Legislative District ID:**
2022	BUILDING ACCESS CONTROL AND VIDEO SURVEILLANCE SYSTEMS UPGRADE	
Category*	**Department:***	**CP Unique ID:**
BUILDINGS, LAND & MISCELLANEOUS	INFORMATION TECHNOLOGY	1815

Overall Project Description

This project will fund the replacement and upgrade of Building Access Control and Video surveillance systems which include software, hardware, network infrastructure, training and implementation services. These systems will helps to manage building access and monitor surveillance at various County Office Buildings.

☐ 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	2022	2023	2024	2025	2026	Under Review
Gross	4,000	3,000	1,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,000	3,000	1,000	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 508

Current Bond Description: The funds will be used to purchase Building access control and surveillance equipment, software and implementing services for the upgrade of the access control and surveillance systems at various County Office Buildings. The equipment will include but not limited to IP cameras, NVR's, iStars, POE switches, other network infrastructures.

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	1,000,000
Cash:	0
Total:	**$ 1,000,000**

SEQR Classification:

TYPE II

Amount Requested:

1,000,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2019	1,000,000	FUNDS THE REPLACEMENT/UPGRADE
2020	1,000,000	CONTINUATION OF THIS PROJECT
2021	1,000,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

3,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
19	90	1,000,000	502,985	PURCHASE OF EQUIPMENT AND OTHER SERVICES FOR UPGRADE OF SURVEILLANCE SYSTEMS AT WC OFFICE BUILDINGS
21	39	1,000,000	0	PURCHASE OF EQUIPMENT AND OTHER SERVICES FOR UPGRADE OF SURVEILLANCE SYSTEMS AT WC OFFICE BUILDINGS

Total Financing History:
2,000,000

Recommended By:

Department of Planning	**Date**
WBB4	09-30-2021
Department of Public Works	**Date**
RJB4	09-30-2021
Budget Department	**Date**
GKGA	10-01-2021
Requesting Department	**Date**
DDMK	10-04-2021

BUILDING ACCESS CONTROL AND VIDEO SURVEILLANCE SYSTEMS UPGRADE (BIT45)

User Department : Information Technology

Managing Department(s) : Information Technology ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	4,000	3,000	1,610	1,000					
Non County Share			11						
Total	4,000	3,000	1,621	1,000					

Project Description

This project will fund the replacement and upgrade of Building Access Control and Video surveillance systems which include software, hardware, network infrastructure, training and implementation services. These systems will helps to manage building access and monitor surveillance at various County Office Buildings.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,000,000			1,000,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2019	1,000,000	Funds the replacement/upgrade	IN PROGRESS
2020	1,000,000	Continuation of this project	IN PROGRESS
2021	1,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	3,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	3,000,000	502,986	2,497,014
Others		(10,661)	10,661
Total	3,000,000	492,325	2,507,675

BUILDING ACCESS CONTROL AND VIDEO SURVEILLANCE SYSTEMS UPGRADE
(BIT45)

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
90	19	1,000,000	12/10/19	101,046	497,014
			12/10/19	19,954	
			04/30/20	56,753	
			10/28/20	275,913	
			10/28/20	38,659	
			10/28/20	10,661	
39	21	1,000,000			1,000,000
Total		2,000,000		502,986	1,497,014

CAPITAL PROJECT FACT SHEET

Project ID:* BIT47	☐ **CBA**	**Fact Sheet Date:*** 10-15-2021
Fact Sheet Year:* 2022	**Project Title:*** NETWORK AND SECURITY INFRASTRUCTURE UPGRADES 2020-2024	**Legislative District ID:**
Category* BUILDINGS, LAND & MISCELLANEOUS	**Department:*** INFORMATION TECHNOLOGY	**CP Unique ID:** 1817

Overall Project Description

This project will fund the continuation of Network and Security Infrastructure Upgrades with the replacement of obsolete hardware, software and related services.

☐ 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	2022	2023	2024	2025	2026	Under Review
Gross	3,950	1,400	800	850	900	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,950	1,400	800	850	900	0	0	0

Expended/Obligated Amount (in thousands) as of : 1,339

Current Bond Description: The funds will be used to purchase hardware, software, peripherals, electrical, cabling and implementing services required to upgrade the MOB 1 Data Center. Also to fund the replacement of Network Switches at Yonkers I-Park, the Correction Campus upgrades and Yonkers Water Treatment Plant

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	800,000
Cash:	0
Total:	**$ 800,000**

SEQR Classification:

TYPE II

Amount Requested:

800,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2020	650,000	UPGRADE OF THE NETWORK & CYBERSECURITY PLATFORMS
2021	750,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

1,400,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
20	109	650,000	0	COST OF NETWORK & SECURITY INFRASTRUCTURE UPGRADES IN VARIOUS COUNTY DEPARTMENT'S LOCATIONS
21	39	750,000	0	SECURITY INFRASTRUCTURE UPGRADES IN VARIOUS COUNTY DEPARTMENT'S MOB DATA CENTER

Total Financing History:
1,400,000

Recommended By:

Department of Planning	**Date**
WBB4	09-30-2021
Department of Public Works	**Date**
RJB4	09-30-2021
Budget Department	**Date**
GKGA	10-01-2021
Requesting Department	**Date**
DDMK	10-04-2021

NETWORK AND SECURITY INFRASTRUCTURE UPGRADES 2020-2024
(BIT47)

User Department : Information Technology

Managing Department(s) : Information Technology ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	3,950	1,400	1,339	800	850	900			
Non County Share									
Total	3,950	1,400	1,339	800	850	900			

Project Description

This project will fund the continuation of Network and Security Infrastructure Upgrades with the replacement of obsolete hardware, software and related services.

Current Year Description

The current year request funds continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	800,000			800,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2020	650,000	Upgrade of the Network & Cybersecurity platforms	COMPLETE
2021	750,000	Continuation of this project	IN PROGRESS
Total	1,400,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	1,400,000		1,400,000
Total	1,400,000		1,400,000

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
109	20	650,000			650,000
39	21	750,000			750,000
Total		1,400,000			1,400,000

CAPITAL PROJECT FACT SHEET

Project ID:*	☐ **CBA**	**Fact Sheet Date:***
BIT49		10-15-2021
Fact Sheet Year:*	**Project Title:***	**Legislative District ID:**
2022	POLICE RECORD MANAGEMENT SYSTEM UPGRADE	
Category*	**Department:***	**CP Unique ID:**
BUILDINGS, LAND & MISCELLANEOUS	INFORMATION TECHNOLOGY	1822

Overall Project Description

This project will fund the purchase of software, hardware and related services to upgrade and expand the capibilities of this system.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	2,250	1,000	1,250	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	2,250	1,000	1,250	0	0	0	0	0

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

Current Bond Description: The funding will be used to purchase software, hardware and related services to upgrade and expand the capibilities of the Police Record Management System.

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	1,250,000
Cash:	0
Total:	**$ 1,250,000**

SEQR Classification:

TYPE II

Amount Requested:

1,250,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2020	250,000	FUNDING FOR STUDY
2021	750,000	PURCHASE OF SYSTEM

Total Appropriation History:

1,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	39	750,000	0	POLICE RECORD MANAGEMENT SYSTEM UPGRADE

Total Financing History:
750,000

Recommended By:

Department of Planning	**Date**
WBB4	09-30-2021
Department of Public Works	**Date**
RJB4	09-30-2021
Budget Department	**Date**
GKGA	10-01-2021
Requesting Department	**Date**
DDMK	10-04-2021

POLICE RECORD MANAGEMENT SYSTEM UPGRADE
(BIT49)

User Department : Information Technology

Managing Department(s) : Information Technology ; Public Safety ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	2,250	1,000		1,250					
Non County Share									
Total	2,250	1,000		1,250					

Project Description

This project will fund the purchase of software, hardware and related services to upgrade and expand the capibilities of this system.

Current Year Description

The current year request funds the purchase and installation of the system.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,250,000			1,250,000

Impact on Operating Budget

The impact on the Operating Budget is the appropriation of Cash to Capital and the debt service associated with the issuance of bonds.

Appropriation History

Year	Amount	Description	Status
2020	250,000	Funding for study	IN PROGRESS
2021	750,000	Purchase of system	IN PROGRESS
Total	1,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	750,000		750,000
Funds Revenue	250,000	250,000	
Total	1,000,000	250,000	750,000

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
39	21	750,000			750,000
Total		750,000			750,000

CAPITAL PROJECT FACT SHEET

Project ID:*	☐ **CBA**	**Fact Sheet Date:***
BIT53		10-15-2021
Fact Sheet Year:*	**Project Title:***	**Legislative District ID:**
2022	BUSINESS CONTINUITY AND DISASTER RECOVERY	
Category*	**Department:***	**CP Unique ID:**
BUILDINGS, LAND & MISCELLANEOUS	INFORMATION TECHNOLOGY	1818

Overall Project Description

This project will fund the procurement of equipment required to provide real time business continuity and timely disaster recovery. To achieve these objectives we need to significantly increase the speed and capacity of data storage, reduce single point of failure exposures,employ a multiply redundant system architecture, integrate the distributed back up of key data, and the geographically seperate location of redundant key systems.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	1,250	250	250	250	250	250	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	1,250	250	250	250	250	250	0	0

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

Current Bond Description: The current year request funds the first phase of purchasing corresponding software, additional hardware and associated services needed to increase the speed and capacity of data storage, while creating a strategically located and redundant backup system.

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	250,000
Cash:	0
Total:	**$ 250,000**

SEQR Classification:

TYPE II

Amount Requested:

250,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2021	250,000	FUNDS THIS PROJECT

Total Appropriation History:

250,000

Total Financing History:

0

Recommended By:

Department of Planning	**Date**
WBB4	09-30-2021
Department of Public Works	**Date**
RJB4	09-30-2021
Budget Department	**Date**
GKGA	10-01-2021
Requesting Department	**Date**
DDMK	10-04-2021

BUSINESS CONTINUITY AND DISASTER RECOVERY
(BIT53)

User Department : Information Technology

Managing Department(s) : Information Technology ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	1,250	250		250	250	250	250		
Non County Share									
Total	1,250	250		250	250	250	250		

Project Description

This project will fund the procurement of equipment required to provide real time business continuity and timely disaster recovery. To achieve these objectives we need to significantly increase the speed and capacity of data storage, reduce single point of failure exposures,employ a multiply redundant system architecture, integrate the distributed back up of key data, and the geographically seperate location of redundant key systems.

Current Year Description

The current year requests funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	250,000			250,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2021	250,000	Funds this project	AWAITING BOND AUTHORIZATION
Total	250,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	250,000		250,000
Total	250,000		250,000

CAPITAL PROJECT FACT SHEET

Project ID:*
BIT54

☐ **CBA**

Fact Sheet Date:*
10-15-2021

Fact Sheet Year:*
2022

Project Title:*
CRITICAL COMMUNICATION LOGGING SYSTEM REPLACEMENT 2021-2025

Legislative District ID:

Category*
BUILDINGS, LAND & MISCELLANEOUS

Department:*
INFORMATION TECHNOLOGY

CP Unique ID:
1819

Overall Project Description

This project will fund the procurement of equipment, servers, data storage, software and services required to replace the existing "Eventide" and "Calabrio Systems with a solution technologically able to meet and exceed the County's Critical Communication Logging Systems needs.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	1,250	250	250	250	250	250	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	1,250	250	250	250	250	250	0	0

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

Current Bond Description: This funds will be used to purchase equipment, servers, data storage, software and services required to replace the existing "Eventide" and "Calabrio" Systems.

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	250,000
Cash:	0
Total:	**$ 250,000**

SEQR Classification:
TYPE II

Amount Requested:
250,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2021	250,000	FUNDS THIS PROJECT

Total Appropriation History:
250,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	39	250,000	0	REPLACE EXISITING EVENTIDE AND CALABRIO SYSTEMS-PURCHASES EQUIP AND RELATED

Total Financing History:
250,000

Recommended By:

Department of Planning	**Date**
WBB4	09-30-2021
Department of Public Works	**Date**
RJB4	09-30-2021
Budget Department	**Date**
GKGA	10-01-2021
Requesting Department	**Date**
DDMK	10-04-2021

CRITICAL COMMUNICATION LOGGING SYSTEM REPLACEMENT 2021-2025
(BIT54)

User Department : Information Technology

Managing Department(s) : Information Technology ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	1,250	250		250	250	250	250		
Non County Share									
Total	1,250	250		250	250	250	250		

Project Description

This project will fund the procurement of equipment, servers, data storage, software and services required to replace the existing "Eventide" and "Calabrio Systems with a solution technologically able to meet and exceed the County's Critical Communication Logging Systems needs.

Current Year Description

The current year request funds continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	250,000			250,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2021	250,000	Funds this project	AWAITING BOND AUTHORIZATION
Total	250,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	250,000		250,000
Total	250,000		250,000

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
39	21	250,000			250,000
Total		250,000			250,000

Reference BIT32

HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK

Your Committee is in receipt of an amended bond act ("Amended Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue additional bonds in the amount of $1,180,000 to finance capital project BIT32 - Radio System Replacement for 2022.

Your Committee is advised that the Amended Bond Act, in the total amount of $23,518,183, which includes $22,338,183 in previously authorized bonds of the County and was prepared by the law firm of Harris Beach, would fund the continued acquisition and installation of equipment and systems necessary for the replacement of the County's emergency communications system. The Department of Information Technology has advised that these systems, which include the Trunked Systems, the F1 and F3 Systems and the radio component of the Computer-Aided Dispatch /Automatic Vehicle Location Systems, are used by first responders and other governmental personnel to ensure safety of life and property and enable delivery of vital services to the citizens of Westchester County.

Your Committee is advised that your Honorable Board has previously authorized the County to issue bonds to finance prior components of BIT32, as follows: Bond Act No. 203-2020 in the amount of $22,338,183, which increased the total aggregate amount of funding under BIT32 by $1,180,000 and consolidated the unsold debt under Bond Act Nos. 109-2018, 111-2018, 112-2018, 115-2018, 146-2019, 147-2019 and 148-20 into one Amended Bond Act for a total authorized amount, as amended, of $22,338,183. Bond Act No. 203-2020 has not been sold. Accordingly, it is now requested that Bond Act No. 203-2020 be amended to increase the total amount authorized by $1,180,000, for a total authorized amount, as amended, of $23,518,183.

Your Committee is advised that the County Budget Department is submitting this Amended Bond Act to your Honorable Board simultaneously with the proposed 2022 Capital Budget. It is the County's goal to submit this Amended Bond Act now so that the referenced project will be ready to proceed without delay in early 2022.

The Planning Department has advised that certain components of BIT32 have previously been reviewed and classified as either Type II or Unlisted actions pursuant to SEQR. For the Unlisted actions, the Board of Legislators adopted a collective Negative Declaration on July 15, 2019 via Resolution 176-2019.

As the current request is for additional funding to continue the implementation of this project for which SEQR has been completed and with no change in scope, no further environmental review is required by the County.

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: 11/17, 2021.
White Plains, New York

COMMITTEE ON

C:jpg/10-18-21

Budget & Appropriations

Public Works & Transportation

Dated: November 17, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Budget & Appropriations

Nancy E Barr

Margaret A. Cunzio

Catherine F. Parker

David J Tabrisky

Public Works & Transportation

Catherine F. Parker

David J Tabrisky

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BIT32 [ ] **NO FISCAL IMPACT PROJECTED**

SECTION A - CAPITAL BUDGET IMPACT
To Be Completed by Budget

[X] GENERAL FUND [ ] AIRPORT FUND [ ] SPECIAL DISTRICTS FUND

Source of County Funds (check one): [X] Current Appropriations
[ ] Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS
To Be Completed by Finance

Total Principal $ 23,518,183 **PPU** 10 **Anticipated Interest Rate** 0.84%

Anticipated Annual Cost (Principal and Interest): $ 2,461,453

Total Debt Service (Annual Cost x Term): $ 24,614,530

Finance Department: Interest Rates from October 6, 2021 Bond Buyer - ASBA

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)
To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): $ -

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: 256

SECTION E - EXPECTED DESIGN WORK PROVIDER

[ ] County Staff [X] Consultant [ ] Not Applicable

Prepared by: Donna Montera

Title: Director of Admin Services

Department: Information Technology

Date: 10/18/21

Reviewed By:

Deputy Budget Director

Date: 10/18/21

Westchester gov.com

Memorandum
Department of Planning

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

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

DATE: October 15, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT: BIT32 RADIO SYSTEM REPLACEMENT**

The Planning Department has reviewed capital project BIT32 – Radio System Replacement (Fact Sheet Unique ID: 1820) for compliance with the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

The project provides for design, procurement and implementation services associated with the replacement of large mission critical radio systems, which include the Trunked Systems, the F1 and F3 Systems and the radio component of the Computer-Aided Dispatch/Automatic Vehicle Location Systems, that are used by the departments of Emergency Services, Public Safety, and Public Works and Transportation.

Certain components of BIT32 have previously been reviewed and classified as either Type II or Unlisted actions pursuant to SEQR. For the Unlisted actions, the Board of Legislators adopted a collective Negative Declaration on July 15, 2019 via Resolution 176-2019.

Since the current request is for additional funding to continue the implementation of this project, for which SEQR has been completed and with no change in scope, no further environmental review is required by the County.

Please do not hesitate to contact me if you have any questions regarding this matter.

DSK/CNM
cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director

Lorraine Yazzetta, Associate Budget Director
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20___

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING AND RESTATING BOND ACT NO. 203-2020, ADOPTED NOVEMBER 9, 2020 IN RELATION TO CONSOLIDATING PREVIOUSLY ADOPTED BOND ACTS FOR CAPITAL PROJECT BIT32 – RADIO SYSTEM REPLACEMENT, REVOKING RELATED BOND ACTS AND AUTHORIZING ADDITIONAL BONDS FOR SUCH PROJECT; AT THE TOTAL ESTIMATED COST OF $23,518,183. (Adopted , 20___).

Recitals

WHEREAS, this Board has heretofore duly authorized the issuance of bonds to finance various elements of Capital Project BIT32, at the total estimated maximum cost of $47,000,000, pursuant to Act Nos. 109-2018, 110-2018, 111-2018, 112-2018, 113-2018, 114-208 and 115-2018 duly adopted on July 16, 2018, including amendments to 110-2018, 113-2018 and 114-2018 by amending bond acts 146-2019, 147-2019 and 148-2019 duly adopted on July 15, 2019 (collectively, the "Previous Bond Acts"), and it has now been determined that the Previous Bond Acts should be consolidated into one bond act so that the aggregate proceeds of authorized but unissued amounts of bonds pursuant to the Previous Bond Acts may be expended as required on any respective element of Capital Project BIT32; and

WHEREAS, it is necessary to increase the appropriation for such project by $2,360,000 for increased costs of such project; and

WHEREAS, in order to accomplish such consolidation it is necessary to (i) amend Bond Act 109-2018 to expand the scope of project to be financed pursuant to such bond

act to encompass all project elements as collectively authorized in the Previous Bond Acts, and (ii) revoke the Previous Bond Acts, except for 109-2018 which is being amended hereby, to the extent of authorized but unissued amounts of bonds pursuant to each respective bond act;

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), TO AMEND AND RESTATE BOND ACT NO. 203-2020 IN ITS ENTIRETY AS FOLLOWS:

BOND ACT AUTHORIZING THE ISSUANCE OF $23,518,183 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE RADIO SYSTEM REPLACEMENT PROJECT FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS $23,518,183; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF $23,518,183 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, $23,518,183 bonds of the County, or so much thereof

as may be necessary, are hereby authorized to be issued to finance the cost of the radio system replacement project for the Department of Information Technology; all as collectively set forth in section 1 of each of the Previous Bond Acts and the County's current year Capital Budget, as amended. To the extent that the County has previously issued bonds pursuant to each of the Previous Bond Acts as detailed in column E of the attached Schedule I, the proceeds of such previously issued bonds shall only be expended for the scope of the project as set forth in the respective bond act, from which such proceeds are derived, when originally adopted and/or amended as set forth in column A of Schedule I. The total estimated maximum cost of said objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is $23,518,183. The plan of financing includes the issuance of $23,518,183 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of said class of objects or purposes, within the limitations of Section 11.00 a. 25 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 $23,518,183. 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 not earlier than January 1, 2022 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___.

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

(SEAL)

LEGAL NOTICE

A Bond Act which is published herewith, has been adopted by the Board of Legislators on November 2, 2020 and amended and restated on _____, 20___ and approved, as amended and restated, 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 and restated Bond Act 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.

Dated: _____, 20___
White Plains, New York

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

SCHEDULE I - BIT32 CAPITAL PROJECTS

A	B	C	D	E	F	G	H	I	
Category	Project Name	Estimated Maximum Cost	Bond Authorization	Previously Borrowed	Authorized but Unissued Amount	PPU	LFL Paragrap	Specific Class & Combination	SECRA TYPE
Bond Act No. and adoption date									
111-2018 (7-16-18)	REPLACEMENT OF MOBILE (VEHICLE-MOUNTED) RADIOS USED BY EMERGENCY PERSONNEL	$ 9,700,000.00	$ 9,700,000.00	$ 4,912,714.00	$ 4,787,286.00	10	Par. 25	S	
112-2018 (7-16-18)	REPLACEMENT OF PORTABLE AND BASE STATION RADIOS USED BY EMERGENCY PERSONNEL	$ 9,300,000.00	$ 9,300,000.00	$ 4,574,033.00	$ 4,725,967.00	10	Par. 25	S	
109-2018 (7-16-18)	REPLACEMENT OF COUNTY'S WIRELESS RADIO SYSTEM FOR FIRE, EMS, POLICE, AND OTHER EMERGE	$ 6,300,000.00	$ 6,300,000.00	3,659,830.00	$ 2,640,170.00	10	Par. 25	S	
115-2018 (7-16-18)	INTEGRATE TRUNKED RADIO SYSTEM WITH TRANSPORTATION COMMUNICATION SYSTEM	$ 6,240,000.00	$ 6,240,000.00	3,392,332.00	$ 2,847,668.00	10	Par. 25	S	
14-2018, 148-2019 (7-16-18, amend 7-15-1	REPLACEMENT OF WIRELESS RADIO SYSTEM INCLUDING VOICE RADIO PAGING SYSTEM	$ 5,540,000.00	$ 5,540,000.00	3,325,914.00	$ 2,214,086.00	10	Par. 25	S	
13-2018, 147-2019 (7-16-18, amend 7-15-1	REPLACEMENT OF RADIO DISPATCH & COMMUNICATION SYSTEMS USED BY COUNTY POLICE	$ 2,900,000.00	$ 2,900,000.00	1,729,454.00	$ 1,170,546.00	10	Par. 25	S	
10-2018, 146-2019 (7-16-18, amend 7-15-1	REPLACEMENT OF TRUNKED RADIO SYSTEM FOR EMERGENCY SERVICE COMMUNICATION	$ 7,020,000.00	$ 7,020,000.00	4,247,540.00	$ 2,772,460.00	10	Par. 25	S	
	Total - BIT32	**$47,000,000.00**	**$47,000,000.00**	**$25,841,817.00**	**$ 21,158,183.00**				

CAPITAL PROJECT FACT SHEET

Project ID:*	☐ **CBA**	**Fact Sheet Date:***
BIT32		10-15-2021
Fact Sheet Year:*	**Project Title:***	**Legislative District ID:**
2022	RADIO SYSTEM REPLACEMENT	
Category*	**Department:***	**CP Unique ID:**
BUILDINGS, LAND & MISCELLANEOUS	INFORMATION TECHNOLOGY	1820

Overall Project Description

The Department of Information Technology oversees the design, implementation, and management of large mission critical radio systems used by the Departments of Emergency Services, Public Safety, Public Works, and Transportation. These systems are used by first responders and other governmental personnel to ensure safety of life and property and enable delivery of vital services to the citizens of Westchester County. This capital project will begin the process of specifying, designing, procuring, and implementing replacements for the Trunked Systems, the F1 and F3 systems and at least the radio component of the CAD/AVL systems.

☐ 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	2022	2023	2024	2025	2026	Under Review
Gross	61,700	56,980	1,180	1,180	1,180	1,180	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	61,700	56,980	1,180	1,180	1,180	1,180	0	0

Expended/Obligated Amount (in thousands) as of : 46,326

Current Bond Description: This will fund the continued acqusition and installation of equipment and systems for the replacement of the County's emergency communications system.

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	1,180,000
Cash:	0
Total:	**$ 1,180,000**

SEQR Classification:

TYPE II

Amount Requested:

1,180,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2014	6,000,000	PHASE I AND II
2015	2,000,000	REPLACEMENT OF VOICE RADIO SYSTEMS USED BY FIRE AND EMS RESPONDERS
2016	6,000,000	REPLACEMENT OF VOICE RADIO SYSTEMS USED BY FIRE AND EMS RESPONDERS
2017	8,000,000	CONTINUATION OF THIS PROJECT
2018	25,300,000	IMPLEMENTATION OF STUDY RECOMMENDATIONS
2020	8,500,000	CONTINUATION OF THIS PROJECT
2021	1,180,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

56,980,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
14	74	300,000	290,027	RADIO SYSTEM REPLACEMENT - PHASE I & II OF COUNTY WIRELESS SYSTEM
18	110	0	0	TRUNKED RADIO SYSTEM SIMULCAST CONTROL & REMOTE SITE EQUIPMENT
18	111	4,912,714	4,912,714	REPLACEMENT OF MOBILE (VEHICLE-MOUNTED) RADIOS USED BY EMERGENCY PERSONNEL
18	112	4,574,033	4,574,033	REPLACEMENT OF PORTABLE AND BASE STATION RADIOS USED BY EMERGENCY PERSONNEL
18	109	3,659,830	3,659,830	REPLACEMENT OF COUNTY'S WIRELESS RADIO SYSTEM FOR FIRE, EMS, POLICE, AND OTHER EMERGENCY PERSONNEL
18	113	0	0	REPLACEMENT OF RADIO DISPATCH AND COMMUNICATION SYSTEMS USED BY COUNTY POLICE
18	115	3,392,332	3,392,332	INTEGRATE TRUNKED RADIO SYSTEM WITH TRANSPORTATION COMMUNICATION SYSTEM
18	114	3,325,914	3,325,914	REPLACEMENT OF WIRELESS RADIO SYSTEM INCLUDING VOICE RADIO PAGING SYSTEM
19	146	4,247,540	4,247,540	REPLACEMENT OF TRUNKED RADIO SYSTEM FOR EMERGENCY SERVICE COMMUNICATION
19	148	2,214,086	0	REPLACEMENT OF VOICE RADIO PAGING SYSTEM USED TO DISPACH FIRE DEPARTMENTS & EMS AGENCIES
19	147	1,729,454	1,729,454	REPLACEMENT OF RADIO DISPATCH & COMMUNICATION SYSTEMS USED BY COUNTY POLICE
20	203	20,124,097	0	

Total Financing History:

48,480,000

Recommended By:

Department of Planning	**Date**
WBB4	09-30-2021
Department of Public Works	**Date**
RJB4	09-30-2021
Budget Department	**Date**
GKGA	10-04-2021
Requesting Department	**Date**
DDMK	10-05-2021

RADIO SYSTEM REPLACEMENT
(BIT32)

User Department : Information Technology

Managing Department(s) : Information Technology ;

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	2022	2023	2024	2025	2026	Under Review
Gross	61,700	56,980	46,326	1,180	1,180	1,180	1,180		
Non County Share									
Total	61,700	56,980	46,326	1,180	1,180	1,180	1,180		

Project Description

The Department of Information Technology oversees the design, implementation, and management of large mission critical radio systems used by the Departments of Emergency Services, Public Safety, Public Works, and Transportation. These systems are used by first responders and other governmental personnel to ensure safety of life and property and enable delivery of vital services to the citizens of Westchester County. This capital project will begin the process of specifying, designing, procuring, and implementing replacements for the Trunked Systems, the F1 and F3 systems and at least the radio component of the CAD/AVL systems.

Current Year Description

The current year request funds implementation services.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,180,000			1,180,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2014	6,000,000	Phase I and II	IN PROGRESS
2015	2,000,000	Replacement of voice radio systems used by Fire and EMS responders	IN PROGRESS
2016	6,000,000	Replacement of voice radio systems used by Fire and EMS responders	IN PROGRESS
2017	8,000,000	Continuation of this project	IN PROGRESS
2018	25,300,000	Implementation of study recommendations	IN PROGRESS
2020	8,500,000	Continuation of this project	AWAITING BOND AUTHORIZATION
2021	1,180,000	Continuation of this project	IN PROGRESS
Total	56,980,000		

RADIO SYSTEM REPLACEMENT
(BIT32)

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	56,980,000	26,131,844	30,848,156
Total	56,980,000	26,131,844	30,848,156

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
74	14	300,000	12/15/17	165,292	9,973
			12/15/17	30,349	
			12/15/17	256	
			12/10/18	94,129	
109	18	3,659,830	12/10/19	3,056,289	
			12/10/19	603,541	
110	18				
111	18	4,912,714	12/10/19	4,102,561	
			12/10/19	810,153	
112	18	4,574,033	12/10/19	3,819,731	
			12/10/19	754,302	
113	18				
114	18	3,325,914	12/10/19	2,777,439	
			12/10/19	548,475	
115	18	3,392,332	12/10/19	2,832,904	
			12/10/19	559,428	
146	19	4,247,540	12/10/19	3,547,080	
			12/10/19	700,460	
147	19	1,729,454	12/10/19	1,444,251	
			12/10/19	285,203	
148	19	2,214,086			2,214,086
203	20	20,124,097			20,124,097
Total		48,480,000		26,131,844	22,348,156

HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a communication from the County Executive requesting that the Westchester County Office of Tourism and Film be designated as the County's official Tourist Promotion Agency ("TPA") for the period from January 1, 2022 through December 31, 2022.

This TPA designation will allow the Office of Tourism and Film to receive a matching funds grant from New York State which will be used to market Westchester County as a tourism destination.

Your Committee has been advised that the New York State Tourist Promotion Act specifically requires the designation of a tourist promotion agency by the County's governing body and that such approval be in the form of a Resolution. As you are aware, Section 209.91(4) of the Laws of Westchester County requires approval by your Honorable Board for such matters by way of an Act. To satisfy the requirements of both the County and the State, your Honorable Board has been presented with a proposed Act and Resolution for your consideration and approval. Your Honorable Board has passed similar legislation, most recently by Act No. 204-2020 and Resolution No. 180-2020 for the calendar year 2021.

The Planning Department has advised that that the proposed designation does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. As such, no environmental review is required.

Please refer to the memorandum from the Department of Planning dated May 14, 2021, which is on file with the Clerk of the Board of Legislators.

Your Committee has been advised that passage of the attached Act and Resolution requires an affirmative vote of a majority of the members of your Honorable Board. Accordingly, your Committee recommends adoption of the proposed Act and Resolution.

Dated: 11/17, 2021
White Plains, New York

Ruth Weber

Benjamin Boykin

Vedat Gashi

Catherine S

C: JPG 10.15.2021

COMMITTEE ON

Budget & Appropriations

Dated: November 17, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Budget & Appropriations

Nancy E. Barr

Margaret A. Cunzio

Catherine F. Parker

David A. Tabrisky

FISCAL IMPACT STATEMENT

SUBJECT: Tourist Promotion Agency 2022 [ ] **NO FISCAL IMPACT PROJECTED**

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

[X] GENERAL FUND [ ] AIRPORT FUND [ ] SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense $ 31,522

Total Current Year Revenue $ 31,522

Source of Funds (check one): [X] Current Appropriations [ ] Transfer of Existing Appropriations

[ ] Additional Appropriations [ ] Other (explain)

Identify Accounts: Expense:101-11-0720-4912; Revenue: 263-11-432X-9854

Potential Related Operating Budget Expenses: Annual Amount $31,522

Describe: An Act designating the Westchester County Office of Tourism as the Tourist Promotion Agency for Westchester County for the period from January 1, 2022 through December 31, 2022.

Potential Related Operating Budget Revenues: Annual Amount

Describe:

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

Current Year:

Next Four Years:

Prepared by: Debra Ogden

Title: Sr. Budget Analyst

Department: Budget

Date: October 26, 2021

Reviewed By:

Budget Director

Date: 10/27/21

ACT NO. _____- 2021

AN ACT designating the Westchester County Office of Tourism and Film as the Tourist Promotion Agency for Westchester County for the period from January 1, 2022 through December 31, 2022.

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

Section 1. The Board of Legislators of the County of Westchester hereby designates the Westchester County Office of Tourism and Film as the Tourist Promotion Agency for Westchester County, as such an agency is defined in the New York State Tourist Promotion Act, for the period from January 1, 2022 through December 31, 2022.

§2. The attached Resolution, designating the Westchester County Office of Tourism and Film as the Tourist Promotion Agency for Westchester County, is hereby adopted.

§3. This Act shall take effect immediately.

RESOLUTION NO. - 2021

WHEREAS, the State of New York has made available to its counties "matching funds" for the promotion of tourism; and

WHEREAS, the New York State Tourist Promotion Act requires the legislature of each county to designate a Tourist Promotion Agency as the applicant for and the recipient of such funds; and

WHEREAS, the Westchester County Office of Tourism and Film is charged with the duty to promote tourism within Westchester County.

NOW, THEREFORE, be it hereby:

RESOLVED, that the Board of Legislators of the County of Westchester hereby designates the Westchester County Office of Tourism and Film as the Tourist Promotion Agency for Westchester County, as such an agency is defined in the New York State Tourist Promotion Act, for the period from January 1, 2022 through December 31, 2022.

S.I.# 2021-557

Reference RD021

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 $3,800,000 to finance capital project RD021 – Haulage Vehicle and Solid Waste Equipment Phase VI ("RD021"). The Bond Act, which was prepared by the law firm Norton Rose Fulbright, will finance The Department of Environmental Facilities ("Department") has advised that it is necessary to replace vital Material Recovery Facility ("MRF") and transfer station equipment which has reached the end of its useful life, including, but not limited to, solid waste compactors, solid waste haulage vehicles, recyclables processing equipment, and solid waste containers in order to continue to process residential curbside recyclables and solid waste collected by Refuse District municipalities and deliver solid waste to a final disposal site.

Following bonding authorization, the Department will purchase and install equipment to replace equipment that has reached the end of its useful life in order to implement the recommendations of the District Plan Modification. The Department intends to begin replacing equipment immediately upon bonding authorization and the Department will make additional purchases in accordance with the recommendations of a facilities study which is currently underway. It is estimated that equipment replacement will continue throughout 2022.

The Department has advised that the County Solid Waste Agency ("Agency"), on behalf of Refuse Disposal District No. 1 ("District"), is separately seeking the approval of your Honorable Board for a modification of the County's Solid Waste Management Plan ("District Plan Modification Act") pursuant to Article 5A of the New York State County Law which authorizes the Agency to reallocate funds within the District's plan of improvements. It is noted that the proposed modification does not exceed the maximum expenditure of District funds previously approved by the Board of Legislators and the New York State Comptroller.

On October 4, 2021 your Honorable Board referred the proposed District Plan Modification Act to the Committees on Budget and Appropriations, Public Works and Transportation, and Environment and Health. It should be noted that this Bond Act may not be approved until the District Plan Modification Act is adopted.

It should be noted that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2022 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced projects will be ready to proceed without delay in early 2022.

The Planning Department has advised your Committee that based on its review, RD021 has been classified as a Type "II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this conclusion.

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

Dated: 11/18, 2021
White Plains, New York

Ruth Walker

Ruth Walker

Public Works & Transportation

Budget & Appropriations

COMMITTEE ON

c/mg/10-6-21

Dated: November 18, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Environment & Health	Budget & Appropriations	Public Works & Transportation
Catherine F. Parker		
	Margaret A. Cunzio	
	Alfreda A. Williams	
	Damon R. Maher	
	Catherine F. Parker	

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RD021 ☐ **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 $ 3,800,000 **PPU** 25 **Anticipated Interest Rate** 1.45%

Anticipated Annual Cost (Principal and Interest): $ 180,818

Total Debt Service (Annual Cost x Term): $ 4,520,450

Finance Department: Interest Rates from October 6, 2021 Bond Buyer - ASBA

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)
To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): $ -

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: 41

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff ☐ Consultant ☒ Not Applicable

Prepared by: Louis Vetrone
Title: Deputy Commissioner
Department: Environmental Facilities
Date: 10/18/21

Reviewed By: [signature]
Deputy Budget Director
Date: 10/18/21

Westchestergov.com

Memorandum
Department of Planning

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

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

DATE: October 13, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT: RD021 Haulage Vehicle and Solid Waste Equipment Phase VI**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 09-17-2021 (Unique ID: 1729)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617(c)(31):** purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.

COMMENTS: None.

DSK/cnm
cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Yazzetta, Associate Budget Director
C.J. Gelardo, Capital Program Coordinator
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

1000086331

REFERENCE RD021

ACT NO. _____ - 20__

BOND ACT DATED _____, 20__.

A BOND ACT AUTHORIZING THE ISSUANCE OF $3,800,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS OF PURCHASE AND REPLACEMENT OF REFUSE DISPOSAL DISTRICT NO. 1 HAULAGE VEHICLES AND SOLID WASTE EQUIPMENT, PHASE VI.

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 purchase and replacement of Refuse District No. 1 haulage vehicles and solid waste equipment, Phase VI, including incidental expenses in connection therewith, there are hereby authorized to be issued $3,800,000 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 $3,800,000, and that the plan for the financing thereof is by the issuance of the $3,800,000 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 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 serial 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 and, 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, under the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, may take effect immediately, shall nonetheless be of no force or effect until January 1, 2022, and shall, when it takes effect, be published in summary form in the official newspaper of said County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

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

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * *

APPROVED BY THE COUNTY EXECUTIVE

_____

Date: _____, 20__

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 _____, 20__, 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, [please check one below]

_____ (1) pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, or

_____ (2) said meeting was held remotely by conference call, video conference, or other similar means in accordance with the requirements set forth in Chapter 417 of the Laws of 20__.

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 _____, 20__.

_____
Clerk and Administrative Officer 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 _____, 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 and Chief of Staff 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__

A BOND ACT AUTHORIZING THE ISSUANCE OF $3,800,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS OF PURCHASE AND REPLACEMENT OF REFUSE DISPOSAL DISTRICT NO. 1 HAULAGE VEHICLES AND SOLID WASTE EQUIPMENT, PHASE VI.

class of objects or purposes:	financing the purchase and replacement of Refuse District No. 1 haulage vehicles and solid waste equipment, Phase VI
period of probable usefulness:	twenty-five years
amount of obligations to be issued:	$3,800,000

Dated: _____, 20__
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

Project ID:*	☐ CBA	**Fact Sheet Date:***
RD021		10-15-2021
Fact Sheet Year:*	**Project Title:***	**Legislative District ID:**
2022	HAULAGE VEHICLE AND SOLID WASTE EQUIPMENT PHASE VI	1, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2,
Category*	**Department:***	**CP Unique ID:**
REFUSE DISPOSAL	ENVIRONMENTAL FACILITIES	1729

Overall Project Description

This project will provide for the orderly and systematic purchase and replacement of Refuse Disposal District #1 haulage vehicles, front end loaders, various vehicles and containers, as well as miscellaneous equipment for use in all solid waste facilities and operations.

☐ 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	2022	2023	2024	2025	2026	Under Review
Gross	10,050	2,000	4,050	1,000	1,000	1,000	1,000	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	10,050	2,000	4,050	1,000	1,000	1,000	1,000	0

Expended/Obligated Amount (in thousands) as of : 361

Current Bond Description: In order to continue to meet its mandate to process all residential curbside recyclables and solid waste collected by District municipalities and deliver solid waste to a final disposal site, the County must replace vital Material Recovery Facility (MRF) and Transfer Station equipment that has reached the end of its useful life, including, but not limited to, solid waste compactors, solid waste haulage vehicles, recyclables processing equipment, and solid waste containers.

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	3,800,000
Cash:	0
Total:	**$ 3,800,000**

SEQR Classification:

TYPE II

Amount Requested:

3,800,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2020	1,000,000	FUNDS THIS PROJECT
2021	1,000,000	FUNDS THE CONTINUATION OF THIS PROJECT

Total Appropriation History:

2,000,000

Total Financing History:

0

Recommended By:

Department of Planning	**Date**
WBB4	09-17-2021
Department of Public Works	**Date**
RJB4	09-20-2021
Budget Department	**Date**
GKGA	09-20-2021
Requesting Department	**Date**
CJGA	09-20-2021

HAULAGE VEHICLE AND SOLID WASTE EQUIPMENT PHASE VI
(RD021)

User Department : Environmental Facilities

Managing Department(s) : Environmental Facilities ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	10,050	2,000	789	4,050	1,000	1,000	1,000	1,000	
Non County Share									
Total	10,050	2,000	789	4,050	1,000	1,000	1,000	1,000	

Project Description

This project will provide for the orderly and systematic purchase and replacement of Refuse Disposal District #1 haulage vehicles, bulldozers, various vehicles and containers, as well as miscellaneous equipment for use in all solid waste facilities and operations.

Current Year Description

The current request funds the continuation of vehicle purchase and replacement of MFR equipment.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	3,800,000	250,000		4,050,000

Impact on Operating Budget

The impact on the District Operating Budget is the appropriation of Cash to Capital.

Appropriation History

Year	Amount	Description	Status
2020	1,000,000	Funds this project	IN PROGRESS
2021	1,000,000	Funds the continuation of this project	IN PROGRESS
Total	2,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Funds Revenue	2,000,000	2,000,000	
Total	2,000,000	2,000,000	

S.I. #2021-558

References SNY95, SOS07, SPC11, SPK23, SPK26, SY044, SY045, SY053

HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act (the "Bond Act") in the total aggregate amount of $5,900,000 to authorize the County of Westchester (the "County") to finance the following eight capital projects for 2022:

SNY95 – Pumping Station Rehabilitation Program – North Yonkers SSD
SOS07 – Ossining WRRF Fire and Gas Detection Systems
SPC11 – Port Chester Wastewater Treatment Plant – Roof Replacements
SPK23 – Peekskill WRRF HVAC Replacement
SPK26 – McGregory Brook Relief Sewer
SY044 – YJ Primary Sludge Gravity Thickener Piping Replacement and Process Improvements
SY045 – Yonkers Joint WRRF Solids Handling Upgrades, and
SY053 – Yonkers Joint Sewer Districts Sewer Tunnel Rehabilitation.

The Bond Act, in the total amount of $5,900,000 was prepared by the law firm Norton Rose Fulbright, and would authorize the County to issue bonds to finance the cost of design and construction management costs of:

(i) the lining and rehabilitation of the influent sewer to the Hastings Pumping Station in the North Yonkers Sanitary Sewer District (SNY95),

(ii) the replacement of the fire and gas detection and alarm equipment and upgrades to the security equipment at the Ossining Water Resource Recovery Facility (SOS07),

(iii) replacement of roofs at the Port Chester Water Resource Recovery Facility (SPC11),

(iv) the rehabilitation or replacement of HVAC equipment at the buildings at the Peekskill Water Resource Recovery Facility (SPK23),

(v) the installation of a new relief sewer adjacent and connected to the existing McGregory Brook Intercepting Sewer in the City of Peekskill (SPK26),

(vi) the replacement of the primary sludge gravity thickener collection equipment at the Yonkers Joint Water Resource Recovery Facility (SY044),

(vii) the upgrading of the solids handling equipment at the Yonkers Joint Water Resource Recovery Facility (SY045), and

(viii) the rehabilitation of several large diameter sewer tunnels in the Yonkers Joint Sewer Districts (SY053).

The Bond Act will also finance the costs of preliminary studies to determine feasibility, design parameters, costs and benefits and other work useful for determining the proposed timing and scope of the above-referenced projects and whether said projects should be undertaken in the form proposed.

Your Honorable Board is advised that the anticipated cost estimates, anticipated project timeline, and whether the design is anticipated to be undertaken by in-house staff or by consultants for each capital project, is set forth below:

BOND ACT – GENERAL FUND DESIGNS

Cap ID	Project	Dept	Total Anticipated Project Amount	Current Request	Design Assignment	Design Time Frame (Months)
SNY95	Hastings Influent Sewer Lining and Rehabilitation	60	$5,000,000	$600,000	Consultant	9
SOS07	Fire, Gas, and Security Detection Systems	60	$7,500,00	$200,000	Consultant	12
SPC11	Port Chester WRRF Roofs	60	$6,000,000	$2,000,000	Consultant	12
SPK23	Peekskill WRRF HVAC Replacement	60	$10,200,00	$200,000	Consultant	12
SPK26	McGregory Brook Relief Sewer	60	$1,500,000	$400,000	Consultant	9
SY044	YJ WRRF Primary Sludge Gravity Thickener Collection Equipment Replacement	60	$10,000,000	$1,700,000	Consultant	15
SY045	YJ WRRF Solids Handling Equipment Upgrade	60	$30,100,000	$600,000	Consultant	18
SY053	Sewer Tunnel Rehabilitation	60	$4,700,00	$200,000	Consultant	9
	Total Request:		**$75,000,000**	**$5,900,000**		

Your Committee is advised that as was initiated last year, the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2022

Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced projects will be ready to proceed without delay in early 2022. In addition, please note that the proposed Bond Act authorizes financing for like objects or purposes in connection with multiple capital projects. It is hoped that by combining projects that have the same objects and purposes into a single bond act, the County can dramatically reduce the amount of bond legislation that your Honorable Board would be required to review, thereby expediting the approval process and avoiding backlogs.

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

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

Dated: 11/18, 2021.
White Plains, New York

Rich Walker

Rich Walker

Public Works & Transportation

Budget & Appropriation

COMMITTEE ON

KMG 9-30-21

Dated: November 18, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Environment & Health	Budget & Appropriations	Public Works & Transportation
Catherine F. Parker		
	Margaret A. Cunzio	
	Damon R. Maher	
	Catherine F. Parker	

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: DEF Design ☐ **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 $ 5,900,000 **PPU** 5 **Anticipated Interest Rate** 0.40%

Anticipated Annual Cost (Principal and Interest): $ 1,194,200

Total Debt Service (Annual Cost x Term): $ 5,971,000

Finance Department: Interest Rates from October 6, 2021 Bond Buyer - ASBA

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)
To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): $ -

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: 64

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff ☒ Consultant ☐ Not Applicable

Prepared by: Christopher Gelardo
Title: Program Coordinator (Capital)
Department: Environmental Facilities
Date: 10/18/21

Reviewed By: [signature]
Deputy Budget Director
Date: 10/18/21

Westchestergov.com

Memorandum
Department of Planning

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

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

DATE: October 13, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR 2022 CAPITAL PROJECTS BOND ACT – SEWER DESIGN**

In connection with the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617 (SEQR), the Department of Planning has reviewed the proposed bond act legislation that would finance the following capital projects:

Capital Project	Project Title	Fact Sheet ID	Approved by Planning
SNY95	Pumping Station Rehabilitation Program-North Yonkers SSD	1736	9/14/2021
SOS07	Ossining WRRF Fire and Gas Detection Systems	1737	9/14/2021
SPK23	Peekskill WRRF HVAC Replacement	1738	9/14/2021
SPK26	McGregory Brook Relief Sewer	1749	9/14/2021
SPC11	Port Chester Wastewater Treatment Plant - Roof Replacements	1740	9/14/2021
SY044	YJ WRRF Primary Sludge Gravity Thickener Piping Replacement and Process Improvements	1741	9/14/2021
SY045	Yonkers Joint WRRF Solids Handling Upgrades	1742	9/14/2021
SY053	Yonkers Joint Sewer Districts Sewer Tunnel Rehabilitation	1748	9/14/2021

The Planning Department advises that the study and design components of these projects for which funding is requested may be classified as **TYPE II actions** pursuant to section:

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.

It is noted that funds for construction management will not be expended unless the Board of Legislators approves funding for construction of the project. Further environmental review will be conducted following completion of design and prior to Board approval of funding for construction. As such, no further environmental review is required at this time.

DSK/cnm

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

REFERENCE SNY95, SOS07, SPC11, SPK23, SPK26, SY044, SY045, SY053

ACT NO. _____ - 20__

BOND ACT DATED _____, 20__.

A BOND ACT AUTHORIZING THE ISSUANCE OF $5,900,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY DESIGN AND CONSTRUCTION MANAGEMENT COSTS OF (I) THE LINING AND REHABILITATION OF THE INFLUENT SEWER TO THE HASTINGS PUMPING STATION IN THE NORTH YONKERS SANITARY SEWER DISTRICT (SNY95), (II) THE REPLACEMENT OF THE FIRE AND GAS DETECTION AND ALARM EQUIPMENT AND UPGRADES TO THE SECURITY EQUIPMENT AT THE OSSINING WATER RESOURCE RECOVERY FACILITY (SOS07), (III) REPLACEMENT OF ROOFS AT THE PORT CHESTER WATER RESOURCE RECOVERY FACILITY (SPC11), (IV) THE REHABILITATION OR REPLACEMENT OF HVAC EQUIPMENT AT THE BUILDINGS AT THE PEEKSKILL WATER RESOURCE RECOVERY FACILITY (SPK23), (V) THE INSTALLATION OF A NEW RELIEF SEWER ADJACENT AND CONNECTED TO THE EXISTING MCGREGORY BROOK INTERCEPTING SEWER IN THE CITY OF PEEKSKILL (SPK26), (VI) THE REPLACEMENT OF THE PRIMARY SLUDGE GRAVITY THICKENER COLLECTION EQUIPMENT AT THE YONKERS JOINT WATER RESOURCE RECOVERY FACILITY (SY044), (VII) THE UPGRADING OF THE SOLIDS HANDLING EQUIPMENT AT THE YONKERS JOINT WATER RESOURCE RECOVERY FACILITY (SY045), (VIII) THE REHABILITATION OF SEVERAL LARGE DIAMETER SEWER TUNNELS IN THE YONKERS JOINT SEWER DISTRICTS (SY053).

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 the specific objects or purposes of paying design and construction management costs of (i) the lining and rehabilitation of the influent sewer to the Hastings Pumping Station in the North Yonkers Sanitary Sewer District (SNY95), (ii) the replacement of the fire and gas detection and alarm equipment and upgrades to the security equipment at the Ossining Water Resource Recovery Facility (SOS07), (iii) replacement of roofs at the Port Chester Water Resource Recovery Facility (SPC11), (iv) the rehabilitation or replacement of HVAC equipment at the buildings at the Peekskill Water Resource Recovery Facility (SPK23), (v) the installation of a new relief sewer adjacent and connected to the existing McGregory Brook Intercepting Sewer in the City of Peekskill (SPK26), (vi) the replacement of the primary sludge gravity thickener collection equipment at the Yonkers Joint Water Resource Recovery Facility (SY044), (vii) the upgrading of the solids handling equipment at the Yonkers Joint Water Resource Recovery Facility (SY045), (viii) the rehabilitation of several large diameter sewer tunnels in the Yonkers Joint Sewer Districts (SY053), each such specific object or purpose as described in Exhibit A constituting a "Project" herein, there are hereby authorized to be issued an aggregate amount of $5,900,000 bonds of said County pursuant to the provisions of the Local Finance Law, in the amounts described in Exhibit A for each respective Project. Bonds may not be issued hereunder to finance any Project in an amount that exceeds the amount specified in Exhibit A for such Project. To the extent that the details of the Projects 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 each Project is as described in Exhibit A, and that the plan for the financing of each Project is by the issuance of bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that each Project may include preliminary studies to determine feasibility, design parameters, costs and benefits and other work useful for determining the proposed timing and scope of the Project and whether the Project should be undertaken in the form proposed, and that the period of probable usefulness of each Project 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 the respective Project in the respective district described in Exhibit A, 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 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 Projects 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 La, 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, under the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, may take effect immediately, shall nonetheless be of no force or effect until January 1, 2022, and, when it takes effect, 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.

EXHIBIT A

Bonds may not be issued hereunder to finance any Project in an amount that exceeds the amount specified below for such Project.

Project ID	Project Description	Estimated Maximum Cost and Bonds Authorized	District or Districts to be Assessed for such Project
SNY95	the lining and rehabilitation of the influent sewer to the Hastings Pumping Station in the North Yonkers Sanitary Sewer District	$600,000	North Yonkers Sanitary Sewer District
SOS07	the replacement of the fire and gas detection and alarm equipment and upgrades to the security equipment at the Ossining Water Resource Recovery Facility	$200,000	Ossining Sanitary Sewer District
SPC11	the replacement of roofs at the Port Chester Water Resource Recovery Facility	$2,000,000	Port Chester Sanitary Sewer District
SPK23	the rehabilitation or replacement of HVAC equipment at the buildings at the Peekskill Water Resource Recovery Facility	$200,000	Peekskill Sanitary Sewer Districts
SPK26	the installation of a new relief sewer adjacent and connected to the existing McGregory Brook Intercepting Sewer in the City of Peekskill	$400,000	Peekskill Sanitary Sewer District
SY044	the replacement of the primary sludge gravity thickener collection equipment at the Yonkers Joint Water Resource Recovery Facility	$1,700,000	Yonkers Joint Sanitary Sewer Districts
SY045	the upgrading of the solids handling equipment at the Yonkers Joint Water Resource Recovery Facility	$600,000	Yonkers Joint Sanitary Sewer Districts
SY053	the rehabilitation of several large diameter sewer tunnels in the Yonkers Joint Sanitary Sewer Districts	$200,000	Yonkers Joint Sanitary Sewer Districts

The foregoing Bond Act, including Exhibit A thereto, 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: _____, 20__

69716868.2

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 _____, 20__, 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, [please check one below]

_____ (1) pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, or

_____ (2) said meeting was held remotely by conference call, video conference, or other similar means in accordance with the requirements set forth in Chapter 417 of the Laws of 20__.

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

69716868 2

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 _____, 20__.

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

(CORPORATE
SEAL)

69716868 2

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 and Administrative Officer 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__

A BOND ACT AUTHORIZING THE ISSUANCE OF $5,900,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY DESIGN AND CONSTRUCTION MANAGEMENT COSTS OF (I) THE LINING AND REHABILITATION OF THE INFLUENT SEWER TO THE HASTINGS PUMPING STATION IN THE NORTH YONKERS SANITARY SEWER DISTRICT (SNY95), (II) THE REPLACEMENT OF THE FIRE AND GAS DETECTION AND ALARM EQUIPMENT AND UPGRADES TO THE SECURITY EQUIPMENT AT THE OSSINING WATER RESOURCE RECOVERY FACILITY (SOS07), (III) REPLACEMENT OF ROOFS AT THE PORT CHESTER WATER RESOURCE RECOVERY FACILITY (SPC11), (IV) THE REHABILITATION OR REPLACEMENT OF HVAC EQUIPMENT AT THE BUILDINGS AT THE PEEKSKILL WATER RESOURCE RECOVERY FACILITY (SPK23), (V) THE INSTALLATION OF A NEW RELIEF SEWER ADJACENT AND CONNECTED TO THE EXISTING MCGREGORY BROOK INTERCEPTING SEWER IN THE CITY OF PEEKSKILL (SPK26), (VI) THE REPLACEMENT OF THE PRIMARY SLUDGE GRAVITY THICKENER COLLECTION EQUIPMENT AT THE YONKERS JOINT WATER RESOURCE RECOVERY FACILITY (SY044), (VII) THE UPGRADING OF THE SOLIDS HANDLING EQUIPMENT AT THE YONKERS JOINT WATER RESOURCE RECOVERY FACILITY (SY045), (VIII) THE REHABILITATION OF SEVERAL LARGE DIAMETER SEWER TUNNELS IN THE YONKERS JOINT SEWER DISTRICTS (SY053).

object or purpose:	financing design and construction management costs of the rehabilitation of various sewer conveyance and treatment facilities in and for the benefit of various County Sanitary Sewer Districts
period of probable usefulness:	five (5) years
amount of obligations to be issued:	$5,900,000, for the benefit of: North Yonkers Sanitary Sewer District ($600,000), Ossining Sanitary Sewer District ($200,000), Port Chester Sanitary Sewer District ($2,000,000), Peekskill Sanitary Sewer

District ($200,000 and $400,000), and Yonkers Joint Sanitary Sewer Districts ($1,700,000, $600,000 and $200,000)

Dated: _____, 20__
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

Project ID:* SNY95	☐ CBA	**Fact Sheet Date:*** 10-15-2021
Fact Sheet Year:* 2022	**Project Title:*** PUMPING STATION REHABILITATION PROGRAM - NORTH YONKERS SSD	**Legislative District ID:** 8, 16, 15, 12,
Category* SEWER AND WATER DISTRICTS	**Department:*** ENVIRONMENTAL FACILITIES	**CP Unique ID:** 1736

Overall Project Description

This project will fund the rehabilitation and/or upgrade of the following sewage pumping station(s): Hastings, Dobbs Ferry, Irvington and Alexander St.

☐ 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	2022	2023	2024	2025	2026	Under Review
Gross	20,800	5,200	600	15,000	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	20,800	5,200	600	15,000	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 1,297

Current Bond Description: Design and Construction Management funding for the lining and rehabilitation of the influent sewer to the Hastings Pumping Station.

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	600,000
Cash:	0
Total:	$ 600,000

SEQR Classification:

TYPE II

Amount Requested:

600,000

Comments:

Energy Efficiencies:

NONE

Appropriation History:

Year	Amount	Description
2017	900,000	DESIGN AND CONSTRUCTION MANAGEMENT FOR HASTINGS.
2018	800,000	DESIGN AND CONSTRUCTION MANAGEMENT FOR DOBBS FERRY.
2019	3,500,000	DESIGN- ALEXANDER ST AND IRVINGTON.

Total Appropriation History:

5,200,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
17	125	900,000	0	REHABILITATION OF HASTINGS PUMPING STATION
19	221	800,000	0	DESIGN AND CONSTRUCTION - DOBBS FERRY PUMPING STATION IN NORTH YONKERS SANITARY SEWER DISTRICT

Total Financing History:
1,700,000

Recommended By:

Department of Planning	**Date**
WBB4	09-14-2021
Department of Public Works	**Date**
RJB4	09-17-2021
Budget Department	**Date**
GKGA	09-17-2021
Requesting Department	**Date**
CJGA	09-20-2021

PUMPING STATION REHABILITATION PROGRAM - NORTH YONKERS SSD
(SNY95)

User Department : Environmental Facilities

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

Estimated Completion Date: TBD

Planning Board Recommendation: Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	20,800	5,200	1,300	600	15,000				
Non County Share									
Total	20,800	5,200	1,300	600	15,000				

Project Description

This project will fund the rehabilitation and/or upgrade of the following sewage pumping station(s): Hastings, Dobbs Ferry, Irvington and Alexander St.

Current Year Description

The current year request funds design and construction management for Hastings Influent Sewer.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	600,000			600,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2017	900,000	Design and construction management for Hastings.	DESIGN
2018	800,000	Design and construction management for Dobbs Ferry.	DESIGN
2019	3,500,000	Design- Alexander St and Irvington.	DESIGN
Total	5,200,000		

Prior Appropriations

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

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
125	17	900,000			900,000
221	19	800,000			800,000
6	21	1,500,000			1,500,000
Total		3,200,000			3,200,000

CAPITAL PROJECT FACT SHEET

Project ID:* SOS07

☐ CBA

Fact Sheet Date:* 10-15-2021

Fact Sheet Year:* 2022

Project Title:* OSSINING WRRF FIRE AND GAS DETECTION SYSTEMS

Legislative District ID: 3, 9, 4,

Category* SEWER AND WATER DISTRICTS

Department:* ENVIRONMENTAL FACILITIES

CP Unique ID: 1737

Overall Project Description

This project funds the replacement of the fire and gas detection and alarm equipment, as well as upgrades to the security system, at the facility.

☐ 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	2022	2023	2024	2025	2026	Under Review
Gross	7,500	0	200	0	2,000	0	5,300	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	7,500	0	200	0	2,000	0	5,300	0

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

Current Bond Description: Study funding to evaluate new equipment and replacement options, methods to maintain the plant in operation during construction, and develop a preliminary budget.

Financing Plan for Current Request:

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

SEQR Classification:
TYPE II

Amount Requested:
200,000

Comments:

Energy Efficiencies:
NONE

Total Financing History:
0

Recommended By:

Department of Planning	**Date**
WBB4	09-14-2021
Department of Public Works	**Date**
RJB4	09-17-2021
Budget Department	**Date**
GKGA	09-17-2021
Requesting Department	**Date**
CJGA	09-20-2021

OSSINING WRRF FIRE AND GAS DETECTION SYSTEMS
(SOS07)

User Department : Environmental Facilities

Managing Department(s) : Environmental Facilities ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	7,500			200		2,000		5,300	
Non County Share									
Total	7,500			200		2,000		5,300	

Project Description

This project funds the replacement of the fire and gas detection and alarm equipment. at the facility.

Current Year Description

The current year request funds a study.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	200,000			200,000

Impact on Operating Budget

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

CAPITAL PROJECT FACT SHEET

Project ID:* SPK23	☐ CBA	**Fact Sheet Date:*** 10-15-2021
Fact Sheet Year:* 2022	**Project Title:*** PEEKSKILL WRRF HVAC REPLACEMENT	**Legislative District ID:** 1, 9, 4,
Category* SEWER AND WATER DISTRICTS	**Department:*** ENVIRONMENTAL FACILITIES	**CP Unique ID:** 1738

Overall Project Description

This project will fund the rehabilitation/replacement of all HVAC equipment at all of the buildings at the Peekskill Water Resource Recovery Facility.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	10,200	0	200	0	0	1,500	0	8,500
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	10,200	0	200	0	0	1,500	0	8,500

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

Current Bond Description: Study funding to evaluate new equipment and replacement options, methods to maintain the plant in operation during construction, and develop a preliminary budget.

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

200,000

Comments:

Energy Efficiencies:

THE NEW EQUIPMENT WILL BE MORE ENERGY EFFICIENT THAN THE OLD EXISTING EQUIPMENT THAT IS REACHING THE END OF ITS USEFUL LIFE.

Total Financing History:

0

Recommended By:

Department of Planning	**Date**
WBB4	09-14-2021
Department of Public Works	**Date**
RJB4	09-17-2021
Budget Department	**Date**
GKGA	09-17-2021
Requesting Department	**Date**
CJGA	09-20-2021

PEEKSKILL WRRF HVAC REPLACEMENT
(SPK23)

User Department : Environmental Facilities

Managing Department(s) : Environmental Facilities ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	10,200			200			1,500		8,500
Non County Share									
Total	10,200			200			1,500		8,500

Project Description

This project will fund the rehabilitation/replacement of all HVAC equipment at all of the buildings at the Peekskill Water Resource Recovery Facility.

Current Year Description

The current year request funds a study.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	200,000			200,000

Impact on Operating Budget

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

CAPITAL PROJECT FACT SHEET

Project ID:* SPK26	☐ CBA	**Fact Sheet Date:*** 10-15-2021
Fact Sheet Year:* 2022	**Project Title:*** MCGREGORY BROOK RELIEF SEWER	**Legislative District ID:** 1, 9, 4,
Category* SEWER AND WATER DISTRICTS	**Department:*** ENVIRONMENTAL FACILITIES	**CP Unique ID:** 1749

Overall Project Description

This project will fund the construction of a relief sewer on the McGregory Brook Intercepting Sewer located in the City of Peekskill.

☐ 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	2022	2023	2024	2025	2026	Under Review
Gross	1,500	0	400	0	1,100	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	1,500	0	400	0	1,100	0	0	0

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

Current Bond Description: Design and construction management funding for the installation of an approximately 300 foot long section of new relief sewer adjacent and connected to the existing sewer, and the installation of assoicated new manholes, in order to increase capacity to accommodate anticipated increased future flows.

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	400,000
Cash:	0
Total:	**$ 400,000**

SEQR Classification:

TYPE II

Amount Requested:

400,000

Comments:

Energy Efficiencies:

NONE

Appropriation History:

Year	Amount	Description
2022	400,000	DESIGN AND CONSTRUCTION MANAGEMENT

Total Appropriation History:

400,000

Total Financing History:

0

Recommended By:

Department of Planning	**Date**
WBB4	09-14-2021
Department of Public Works	**Date**
RJB4	09-17-2021
Budget Department	**Date**
GKGA	09-17-2021
Requesting Department	**Date**
CJGA	09-20-2021

MCGREGORY BROOK RELIEF SEWER
(SPK26)

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	2022	2023	2024	2025	2026	Under Review
Gross	1,500			400		1,100			
Non County Share									
Total	1,500			400		1,100			

Project Description

This project will fund the construction of a relief sewer on the McGregory Brook Intercepting Sewer located in the City of Peekskill.

Current Year Description

The current year request funds design.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	400,000			400,000

Impact on Operating Budget

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

CAPITAL PROJECT FACT SHEET

Project ID:* SPC11	☐ CBA	**Fact Sheet Date:*** 10-15-2021
Fact Sheet Year:* 2022	**Project Title:*** PORT CHESTER WASTEWATER TREATMENT PLANT - ROOF REPLACEMENTS	**Legislative District ID:** 6.
Category* SEWER AND WATER DISTRICTS	**Department:*** ENVIRONMENTAL FACILITIES	**CP Unique ID:** 1740

Overall Project Description

This project will provide funds for the replacement of roofs and repairs/replacements of expansion joints, as required, at the Port Chester Wastewater Treatment Plant.

☐ 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	2022	2023	2024	2025	2026	Under Review
Gross	9,780	3,780	2,000	0	4,000	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	9,780	3,780	2,000	0	4,000	0	0	0

Expended/Obligated Amount (in thousands) as of : 332

Current Bond Description: Design and construction management funding for the replacement of roofs at the Port Chester Water Resource Recovery Facility, including but not limited to, the Air Treatment Building roof and the Control Building roof.

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

2,000,000

Comments:

Energy Efficiencies:

NONE

Appropriation History:

Year	Amount	Description
2010	105,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT FOR THE ROOF REPLACEMENT OF THE PRIMARY SETTLING TANK BUILDING
2015	425,000	DESIGN AND CONSTRUCTION MANAGEMENT
2016	1,500,000	CONSTRUCTION
2020	1,750,000	DESIGN AND CONSTRUCTION MANAGEMENT

Total Appropriation History:

3,780,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
10	118	105,000	71,208	PORT CHESTER WASTERWATER TREATMENT PLANT-ROOF REPLACEMENT
15	110	425,000	0	PORT CHESTER WASTEWATER TREATMENT PLANT - ROOF REPLACEMENTS
20	11	425,000	0	DESIGN, CONSTRUCTION MANAGEMENT, & COSTS FOR REPLACEMENT OF ROOFS - PORT CHESTER WWTP

Total Financing History:
955,000

Recommended By:

Department of Planning	**Date**
WBB4	09-14-2021
Department of Public Works	**Date**
RJB4	09-17-2021
Budget Department	**Date**
GKGA	09-17-2021
Requesting Department	**Date**
CJGA	09-20-2021

PORT CHESTER WASTEWATER TREATMENT PLANT - ROOF REPLACEMENTS (SPC11)

User Department : Environmental Facilities

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

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	9,780	3,780	332	2,000		4,000			
Non County Share									
Total	9,780	3,780	332	2,000		4,000			

Project Description

This project will provide funds for the replacement of roofs and repairs/replacements of expansion joints, as required, at the Port Chester Wastewater Treatment Plant.

Current Year Description

The current year request funds design.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	2,000,000			2,000,000

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
2010	105,000	Design, construction and construction management for the roof replacement of the Primary Settling Tank building	COMPLETE
2015	425,000	Design and Construction Management	CONSTRUCTION
2016	1,500,000	Construction	CONSTRUCTION
2020	1,750,000	Design and construction management	AWAITING BOND AUTHORIZATION
Total	3,780,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	3,780,000	71,208	3,708,792
Total	3,780,000	71,208	3,708,792

PORT CHESTER WASTEWATER TREATMENT PLANT - ROOF REPLACEMENTS
(SPC11)

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
118	10	105,000	12/10/13	60,766	33,792
			12/10/13	10,234	
			12/10/13	208	
110	15				
11	20	2,425,000			2,425,000
Total		2,530,000		71,208	2,458,792

CAPITAL PROJECT FACT SHEET

Project ID:* SY044	☐ CBA	**Fact Sheet Date:*** 10-15-2021
Fact Sheet Year:* 2022	**Project Title:*** YJ WRRF PRIMARY SLUDGE GRAVITY THICKENER PIPING REPLACEMENT AND PROCESS IMPROVEMENTS	**Legislative District ID:** 2, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 5, 3,
Category* SEWER AND WATER DISTRICTS	**Department:*** ENVIRONMENTAL FACILITIES	**CP Unique ID:** 1741

Overall Project Description

This project funds the replacement of the primary sludge gravity thickener collection equipment.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	10,000	0	1,700	0	8,300	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	10,000	0	1,700	0	8,300	0	0	0

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

Current Bond Description: Design and construction management for the replacement of the primary sludge gravity thickener collection equipment, including but not limited to the piping and valves; the installation of new primary sludge bar screens; and/or the replacement of the existing influent bar screens. The work will also include all mechanical, structural, architectural, electrical, instrumentation, controls, HVAC, and plumbing work and appurtenances as required. The design will also review the hydraulics of the system to determine if changes should be made to the treatment process or type of equipment used.

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	1,700,000
Cash:	0
Total:	**$ 1,700,000**

SEQR Classification:

TYPE II

Amount Requested:

1,700,000

Comments:

Energy Efficiencies:

NONE

Total Financing History:

0

Recommended By:

Department of Planning	**Date**
WBB4	09-14-2021
Department of Public Works	**Date**
RJB4	09-17-2021
Budget Department	**Date**
GKGA	09-17-2021
Requesting Department	**Date**
CJGA	09-20-2021

YJ WRRF PRIMARY SLUDGE GRAVITY THICKENER PIPING REPLACEMENT AND PROCESS IMPROVEMENTS
(SY044)

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	2022	2023	2024	2025	2026	Under Review
Gross	10,000			1,700		8,300			
Non County Share									
Total	10,000			1,700		8,300			

Project Description

This project funds the replacement of the primary sludge gravity thickener collection equipment.

Current Year Description

The current year request funds design.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,700,000			1,700,000

Impact on Operating Budget

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

CAPITAL PROJECT FACT SHEET

Project ID:*
SY045

☐ CBA

Fact Sheet Date:*
10-15-2021

Fact Sheet Year:*
2022

Project Title:*
YONKERS JOINT WRRF SOLIDS HANDLING UPGRADES

Legislative District ID:
2, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 5, 3,

Category*
SEWER AND WATER DISTRICTS

Department:*
ENVIRONMENTAL FACILITIES

CP Unique ID:
1742

Overall Project Description
This project will provide for the upgrading of all solids handling equipment.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	30,100	0	600	0	0	3,000	0	26,500
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	30,100	0	600	0	0	3,000	0	26,500

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

Current Bond Description: Study funding to evaluate new equipment and replacement options, methods to maintain the plant in operation during construction, and develop a preliminary budget.

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	600,000
Cash:	0
Total:	**$ 600,000**

SEQR Classification:
TYPE II

Amount Requested:
600,000

Comments:

Energy Efficiencies:
NONE

Total Financing History:
0

Recommended By:

Department of Planning	**Date**
WBB4	09-14-2021
Department of Public Works	**Date**
RJB4	09-17-2021
Budget Department	**Date**
GKGA	09-17-2021
Requesting Department	**Date**
CJGA	09-20-2021

YONKERS JOINT WRRF SOLIDS HANDLING UPGRADES
(SY045)

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	2022	2023	2024	2025	2026	Under Review
Gross	30,100			600			3,000		26,500
Non County Share									
Total	30,100			600			3,000		26,500

Project Description

This project will provide for the upgrading of all solids handling equipment.

Current Year Description

The current year request funds a study.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	600,000			600,000

Impact on Operating Budget

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

CAPITAL PROJECT FACT SHEET

Project ID:*
SY053

☐ CBA

Fact Sheet Date:*
10-15-2021

Fact Sheet Year:*
2022

Project Title:*
YONKERS JOINT SEWER DISTRICTS SEWER TUNNEL REHABILITATION

Legislative District ID:
2, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 5, 4, 3,

Category*
SEWER AND WATER DISTRICTS

Department:*
ENVIRONMENTAL FACILITIES

CP Unique ID:
1748

Overall Project Description
This project will provide for the rehabilitation of several large diameter sewer tunnels in the Yonkers Sewer Districts.

☐ 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	2022	2023	2024	2025	2026	Under Review
Gross	4,700	0	200	0	500	0	4,000	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,700	0	200	0	500	0	4,000	0

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

Current Bond Description: Study funding to evaluate alternative methods to access and inspect the tunnels.

Financing Plan for Current Request:

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

SEQR Classification:
TYPE II

Amount Requested:
200,000

Comments:

Energy Efficiencies:
NONE

Appropriation History:

Year	Amount	Description
2022	200,000	STUDY

Total Appropriation History:
200,000

Total Financing History:
0

Recommended By:

Department of Planning	**Date**
WBB4	09-14-2021
Department of Public Works	**Date**
RJB4	09-17-2021
Budget Department	**Date**
GKGA	09-17-2021
Requesting Department	**Date**
CJGA	09-20-2021

YONKERS JOINT SEWER DISTRICTS SEWER TUNNEL REHABILITATION
(SY053)

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	2022	2023	2024	2025	2026	Under Review
Gross	4,700			200		500		4,000	
Non County Share									
Total	4,700			200		500		4,000	

Project Description

This project will provide for the rehabilitation of several large diameter sewer tunnels in the Yonkers Sewer Districts.

Current Year Description

The current year request funds a study.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	200,000			200,000

Impact on Operating Budget

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

SI #2021-567

RESOLUTION NO. – 2021

RESOLVED, that this Board hold a public hearing on the proposed modification to the Peekskill Sanitary Sewer District by the addition of one (1) parcel of property located in the Town of Cortlandt more particularly described as 73 South Hill Road, Section 13.17, Block 2, Lot 21, pursuant to Section 237.131 of the Laws of Westchester County. The public hearing will be held at _____ __ m. on the _____ day of _____, 2021 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law. Such Notice shall be substantially in the form attached hereto.

PUBLIC NOTICE

NOTICE OF HEARING: MODIFICATION TO THE PEEKSKILL SANITARY SEWER DISTRICT BY THE ADDITION OF ONE (1) PARCEL OF PROPERTY IN THE TOWN OF CORTLANDT; NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE BOARD OF LEGISLATORS OF WESTCHESTER COUNTY ON THE DAY OF , 2021 AT __.M. IN THE CHAMBERS OF THE WESTCHESTER COUNTY BOARD OF LEGISLATORS, 8TH FLOOR, 148 MARTINE AVENUE, WHITE PLAINS, NEW YORK FOR THE PURPOSE OF HEARING PERSONS OR PARTIES INTERESTED IN THE ADDITION TO THE PEEKSKILL SANITARY SEWER DISTRICT OF LAND IN THE TOWN OF CORTLANDT IN ACCORDANCE WITH THE FEASIBILITY REPORT OF THE COMMISSIONER OF ENVIRONMENTAL FACILITIES, DATED AUGUST 30, 2021, OF THE PARCELS AS LISTED BELOW BY STREET ADDRESS AND TAX MAP DESIGNATION:

73 SOUTH HILL ROAD, SECTION 13.17, BLOCK 2, LOT 21

A COPY OF THE REPORT AND MAP PREPARED BY THE COMMISSIONER OF ENVIRONMENTAL FACILITIES IS ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD OF LEGISLATORS AND MAY BE INSPECTED THERE BY ANY INTERESTED PARTY DURING BUSINESS HOURS.

_____
CLERK OF THE COUNTY
BOARD OF LEGISLATORS
WESTCHESTER COUNTY, NEW YORK

Dated: , 2021
White Plains, New York

HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER

Your Committee is in receipt of a transmittal from the County Executive in which the County Executive states that the Commissioner of Environmental Facilities has advised him that the Town of Cortlandt ("Town") has requested, pursuant to the attached Resolution of the Town, that the Peekskill Sanitary Sewer District ("District") be modified to return one (1) parcel of property more particularly described by street address and tax map designation as 73 South Hill Road, Section 13.17, Block 2, Lot 21 ("Returning Parcel") to the District. The Returning Parcel was previously part of the District but was removed from the District by your Honorable Board in 1998 for the 1999 tax year.

Your Committee is informed that the attached Feasibility Report prepared by the Department of Environmental Facilities dated August 30, 2021 and attached hereto, indicates that the proposed addition of the Returning Parcel represents an increase of 0.0054% to the Equalized Full Value of the District. Therefore, the addition of the Returning Parcel will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to add the Returning Parcel to the District is feasible because: 1) the matter was requested by the Town; 2) the facilities necessary to connect the Returning Parcel to County facilities (i.e., Gravity Sewers) will be constructed at the total expense of the Town; 3) maintenance of the completed facilities will be the responsibility of the Town and not the District; 4) the Peekskill Water Resource Recovery Facility (the "Facility") has a design flow of 10 MGD and the present average daily flow is 6.1 MGD. The average daily flow the Returning Parcel will generate is 400 GPD. The Facility and the County Trunk Sewer have sufficient capacity to accommodate the Returning Parcel; 5) the subject expansion will not result in any significant effect on the tax structure of the District; and 6) the territory proposed to be added to the District is not now in any County sewer district and will be required to pay a surcharge over a ten year period.

Your Committee notes that Section 237.131 of the County Administrative Code authorizes the alteration or change of a sewer district. However, your Honorable Board may only alter or change the district after it has held a public hearing after notice has been given by publication in such manner and for such time as the Board shall direct. Therefore, attached hereto is a Resolution, which, if adopted by your Honorable Board, would set a date and time for the necessary public hearing. Your Committee recommends adoption of said Resolution.

Furthermore, Sections 237.131 and 237.141 of the County Administrative Code confer authority to determine what charges, if any, will be paid by the Returning Parcel. Your Committee has been informed that the Department of Environmental Facilities recommends that an aggregate surcharge of One Thousand One Hundred Dollars ($1,100.00), or One Hundred Ten Dollars ($110.00) per annum to be paid in each of ten equal annual installments, be assessed against the Returning Parcel. This surcharge reflects capital costs incurred from 1999 through 2021, the years the Returning Parcel did not contribute to the District tax levies. This formula has been used in past legislation for parcels returned to a sanitary sewer district.

The Planning Department has advised that based on its review, the proposed addition of the Returning Parcel constitutes a Type II action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR, Part 617.5(c)(13) and (33), and therefore no further environmental review is required. Your Committee has reviewed the attached SEQRA documentation and concurs with this conclusion.

Based on the above facts and the Feasibility Report prepared by the Department of Environmental Facilities, your Committee concurs with the recommendation of the County Executive and recommends that your Honorable Board adopt the annexed Resolution which will set a date and time for the public hearing as required by the Administrative Code in such matters, and, after such hearing, urges your Honorable Board to adopt the annexed Act which accomplishes the addition of the Returning Parcel

to the Peekskill Sanitary Sewer District. It should be noted that a vote of not less than a majority of the voting strength of the Board of Legislators is required to pass this Act.

Dated: 11/18, 2021
White Plains, New York

Rest Walker	Rest Walker	Rest Walker
	COMMITTEE ON	
K:JPG 9/02/2021		
Environment & Health	Budget & Appropriations	Public Works & Transportation

Dated: November 18, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Environment & Health	Budget &Appropriations	Public Works & Transportation
Mary Jane Shimsky	Catherine F. Parker	Mary Jane Shimsky
Catherine F. Parker	Vlasmon R. Maher	Catherine F. Parker
Nancy E. Barr	Margaret A. Cunzio	
	Nancy E. Barr	

FISCAL IMPACT STATEMENT

SUBJECT: 73 South Hill Road, Peekskill SSD, Cortlandt (T) ☐ **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 $ -

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

☐ Additional Appropriations ☐ Other (explain)

Identify Accounts: 236-60-1610-9012

Potential Related Operating Budget Expenses: Annual Amount $ -

Describe: Operating expenses related to process and treatment plant expenses of additional flow from these parcels.

Potential Related Operating Budget Revenues: Annual Amount $ 110

Describe: "Buy-in" revenue for parcel added to the Saw Mill Sewer District each year for the next 10 years

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

Current Year:

Next Four Years: Please see descriptions above

Prepared by: Marian Pompa, Jr. P.E.

Title: Acting Director of Maintenance

Department: Environmental Facilities

Date: August 30, 2021

Reviewed By:

Budget Director

Date: 11/15/21

Westchester gov.com

Memorandum
Department of Planning

TO: Vincent Kopicki, Commissioner
Department of Environmental Facilities

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

DATE: October 19, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR REINSTATEMENT OF ONE PARCEL TO PEEKSKILL SANITARY SEWER DISTRICT 73 SOUTH HILL ROAD, TOWN OF CORTLANDT**

PROJECT/ACTION: Modification of the Peekskill Sanitary Sewer District to reinstate one parcel—Section 13.17, Block 2, Lot 21 (formerly 4.01-31-1)—located at 73 South Hill Road in the Town of Cortlandt. The parcel is approximately 1.3 acre in size and already developed with a single-family residence that will be able to access the sanitary sewer system via a lateral connection to an existing local gravity sewer located on adjacent town property.

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further environmental review is required because the project/action:

☐ **DOES NOT MEET THE DEFINITION OF AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)**

☒ **MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTIONS:**

- **617.5(c)(13):** extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;
- **617.5(c)(26):** routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
- **617.5(c)(33):** adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list.

COMMENTS: The subject parcel was removed, along with over 3,000 other parcels, in 1999 at the request of the Town of Cortlandt on the premise that they were not connected nor were anticipated to connect to the sanitary sewer district in the foreseeable future. At this time, the parcel to be reinstated will be able to connect to a nearby sanitary sewer associated with the Town's Fawn Ridge Sewer District. Sewage from this district is treated at the County's Peekskill Water Resource Recovery Facility (WRRF), which has a design flow of 10 million gallons per day (MGD), but is

presently operating at an average daily flow of 6.1 MGD. Since the estimated sewage contribution from a single family residence is approximately 400 gallons per day, both the WRRF and County trunk sewer have sufficient capacity to accommodate the return of this parcel to the County sewer district.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Norma Drummond, Commissioner
Jeffrey Goldman, Senior Assistant County Attorney
Marian Pompa, Associate Engineer, Department of Environmental Facilities
Claudia Maxwell, Associate Environmental Planner

RESOLUTION

NUMBER 159-21

(RE: AUTHORIZE REQUEST TO HAVE A PARCEL LOCATED WITHIN THE TOWN REINSTATED INTO THE PEEKSKILL SANITARY SEWER DISTRICT AND FORWARD SAME TO WESTCHESTER COUNTY FOR CONSIDERATION)

WHEREAS, by letter dated May 11, 2021 from Stephanie Sinclair and Bryan Hoben, Owners of Section 13.17, Block 02, Lot 21 property described below was received by the Town Board of the Town of Cortlandt at the Town Board Meeting held June 15, 2021 for a parcel located at 73 South Hill Road, Cortlandt Manor, New York 10567; and

WHEREAS, the owner(s) has requested the Town of Cortlandt petition the County of Westchester to have said property reinstated into the Peekskill Sanitary Sewer District; said property is designated as follows:

Section 13.17, Block 02, Lot 21
73 South Hill Road
Cortlandt Manor, NY 10567

Owner(s): Stephanie Sinclair and Bryan Hoben

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cortlandt, on behalf of the above-mentioned owner and contract vendee in the Town of Cortlandt, does hereby petition the County of Westchester to reinstate said parcel designated above into the Peekskill Sanitary Sewer District; and

BE IT FURTHER RESOLVED, the parcel shall also be incorporated in the Town's Fawn Ridge Sewer District subject to incorporation into the Peekskill Sanitary Sewer District; and

BE IT FURTHER RESOLVED, the Town Clerk shall notify the Town's Receiver of Taxes and Town Assessor upon reinstatement of the parcel in the County and Town sewer districts.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUE ROSE SHATZKIN
TOWN CLERK

Adopted June 15, 2021
At a Regular Meeting
Held at Town Hall

Certified Copy
06/17/21 **Date**
Town Clerk and Registrar

COUNTY OF WESTCHESTER

DEPARTMENT OF ENVIRONMENTAL FACILITIES

August 30, 2021

FEASIBILITY REPORT
IN THE MATTER OF

THE ENLARGEMENT FOR A CERTAIN PROPERTY

IN THE

PEEKSKILL SANITARY SEWER DISTRICT

TOWN OF CORTLANDT

MP

Vincent F. Kopicki, P.E.
Commissioner
Environmental Facilities

The Town of Cortlandt has petitioned that one (1) property currently not included in the Peekskill Sanitary Sewer District be added to the Peekskill Sanitary Sewer District.

A. The identification of the property not currently within the boundaries of the Peekskill Sanitary Sewer District and to be added is contained in the attached Resolution prepared by the Town Clerk, Town of Cortlandt. Said parcels are not currently in any County Sanitary Sewer District having been removed from the Peekskill Sewer District in 1998 for the 1999 tax year. The property is known as 73 South Hill Road, designated as Section 13.17, Block 2, Lot 21.

B. **EFFECT ON SEWER DISTRICT TAX RATE:**

Full Equalized Valuations, which are assessed values adjusted for equalization rates, form the basis on which the sewer district tax levies are apportioned by the County Board of Legislators. The following are the full equalized valuations in the 2021 tax levy pertinent to the subject property:

Full Value of District

CITIES/TOWNS	ASSESSED VALUE	EQ. PERCENT	FULL VALUE
Cortlandt	$ 13,840,248	1.53%	$ 904,591,373
Peekskill	122,499,888	2.83	4,328,617,951
Somers	29,449,911	11.61	253,659,871
Yorktown	53,040,254	2.23	2,378,486,726
Total			$7,865,355,921
(Town of Cortlandt) Total Value of the property to be added			+ 424,837
Total Full Value of District as Amended:			$7,865,780,758

* represents a 0.0054% increase in the FEV of the District

C. The Surcharge Calculation for the property which is not now in a County Sewer District and is proposed for inclusion in the Peekskill Sanitary Sewer District is as follows:

If: e = added area's share in District equity or surcharge amount;

A = added area's f.e.v., 2021 Rolls

D = District f.e.v., 2021 rolls, before proposed additions

and E = District equity in existing facilities or the total of debt service and advances from district levies to pay the capital costs of those facilities, for the period 1999 through 2020.

Then:

$$e = \frac{A}{D+A} \times E$$

$$e = \frac{424,837}{7,865,355,921 + 424,837} \times 22,123,575$$

$$e = \frac{424,837}{7,865,780,758} \times 22,123,575$$

$$e = .00005401 \times \$22,123,575$$

$$e = \$1,194.91 \text{ (rounded to } \$1,100.00)$$

and: in each of 10 annual installments, a total surcharge of $110.00 is to be collected from the added property and credited to the remaining properties of all Municipalities in the District, in each of the ten years.

D. Summary and Recommendations.

The proposed Peekskill Sanitary Sewer District Addition is feasible because:

1. The matter was requested by the Town of Cortlandt.

2. The facilities necessary to connect the property to County facilities (i.e. Gravity Sewers) will be constructed at the total expense of the Town of Cortlandt.

3. Maintenance of the completed facilities will be the responsibility of the Town of Cortlandt but not the Peekskill Sanitary Sewer District.

4. The Peekskill Water Resource Recovery Facility has a design flow of 10 MGD and the present average daily flow is 6.1 MGD. The average daily flow the parcels will generate is 400 gallons per day. The Facility and the County Trunk Sewer have sufficient capacity to accommodate this property.

5. The subject expansion will not result in any significant effect on the tax structure of the district.

6. The Territory proposed to be added to the Peekskill Sanitary Sewer District is not now in any County Sewer District and will be required to pay a surcharge over a ten year period.

File Name: FEAS_73 South Hill Road.docx

ACT NO. - 2021

AN ACT to Modify the Peekskill Sanitary Sewer District by the Addition of One (1) parcel of Property Located in the Town of Cortlandt.

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

Section 1. The property known and designated as 73 South Hill Road, Section 13.17, Block 2, Lot 21 ("Returning Parcel") on the assessment map of the Village of Briarcliff Manor is hereby added to the Peekskill Sanitary Sewer District (the "District").

§ 2. Pursuant to the provisions of Chapter 237 of the Laws of Westchester County, the Board levies and assesses against the Returning Parcel the aggregate sum of One Thousand One Hundred Dollars ($1,100.00), which amount shall be payable in ten equal annual installments of One Hundred Ten Dollars ($110.00), and shall be credited to the remaining portion of the District.

§ 3. This Act and the District and assessment areas as so altered, changed, modified, reduced and/or enlarged hereby, shall become effective immediately and the assessment rolls filed after the next taxable status date shall show County sewer district assessments and taxes on the basis of such revised District, and taxes levied on such rolls shall be based thereon, but any sewer district tax or assessment levied on any valid assessment rolls in effect prior to the next taxable status date, on any parcel affected by the revisions made by this Act shall continue valid as such or as a tax lien, until paid and the amount paid shall be credited to the sewer district in which such parcel was assessed on the role on which said tax is levied.

§ 4. The County Executive or his authorized designee be and hereby is authorized and empowered to execute instruments and to take all action necessary and appropriate to accomplish the purposes hereof.

§ 5. This Act shall take effect immediately.

S.I.#2021-577

RESOLUTION NO. – 2021

RESOLVED, that this Board hold a public hearing on the proposed modification to the Saw Mill Valley Sanitary Sewer District by the removal of one (1) parcel of property located in the Town of Mt. Pleasant, more particularly described by street address and tax map designation as 25 Cecilia Lane, Section 100.13, Block 1, Lot 13, pursuant to Section 237.131 of the Laws of Westchester County. The Public Hearing will be held at m. on the day of , 2021 in the Chambers of the Board of Legislators, 8th floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law. Such notice shall be substantially in the form attached hereto.

PUBLIC NOTICE

NOTICE OF HEARING: MODIFICATION TO THE SAW MILL VALLEY SANITARY SEWER DISTRICT BY THE REMOVAL OF ONE (1) PARCEL OF PROPERTY IN THE TOWN OF MT. PLEASANT; NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE BOARD OF LEGISLATORS OF WESTCHESTER COUNTY ON THE DAY OF , 2021 AT .M. IN THE CHAMBERS OF THE WESTCHESTER COUNTY BOARD OF LEGISLATORS, 8TH FLOOR, 148 MARTINE AVENUE, WHITE PLAINS, NEW YORK FOR THE PURPOSE OF HEARING PERSONS OR PARTIES INTERESTED IN THE REMOVAL FROM THE SAW MILL VALLEY SANITARY SEWER DISTRICT OF LAND IN THE TOWN OF MT. PLEASANT IN ACCORDANCE WITH THE FEASIBILITY REPORT OF THE COMMISSIONER OF ENVIRONMENTAL FACILITIES, DATED SEPTEMBER 13, 2021, BY STREET ADDRESS AND TAX MAP DESIGNATION AS FOLLOWS:

25 CECILIA LANE, SECTION 100.13, BLOCK 1, LOT 13

A COPY OF THE REPORT AND MAP PREPARED BY THE COMMISSIONER OF ENVIRONMENTAL FACILITIES IS ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD OF LEGISLATORS AND MAY BE INSPECTED THERE BY ANY INTERESTED PARTY DURING BUSINESS HOURS.

CLERK OF THE COUNTY
BOARD OF LEGISLATORS
WESTCHESTER COUNTY, NEW YORK

Dated: , 2021

White Plains, New York

HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER

Your Committee is in receipt of a transmittal from the County Executive in which the County Executive states that the Commissioner of Environmental Facilities has advised him that the Town of Mt. Pleasant (the "Town") has requested, pursuant to the attached Resolution of the Town, that the Saw Mill Valley Sanitary Sewer District (the "District") be modified to remove one (1) parcel of property more particularly described by street address and tax map designation as 25 Cecilia Lane, Section 100.13, Block 1, Lot 13 (the "Parcel") from the District, which Parcel is not currently connected to the County sewer system. This removal is requested because the Parcel is not serviced by sanitary sewers and it is not anticipated that sanitary sewers will be constructed for this Parcel in the foreseeable future.

Your Committee is informed that the attached Feasibility Report prepared by the Department of Environmental Facilities ("Feasibility Report") dated September 13, 2021 indicates that the proposed removal of the Parcel represents a net decrease of 0.0035% to the Equalized Full Value of the District. Therefore, the removal of the Parcel will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to remove the Parcel is feasible because: (1) the proposed change was requested by the Town; (2) the subject change requires no engineering modifications to the District facilities and there is no impact on the County facilities because the Parcel was never connected to the sewerage system; (3) the subject change removes from ad valorem taxation a property that has not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Town; (4) the subject change frees reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities; (5) the subject Parcel, once removed from the District, will be required to petition the County to re-enter the District, and the County is not obligated to reserve any capacity for the Parcel once it has been removed; and (6) the subject Parcel was reviewed by the Westchester County Health Department.

Your Committee notes that Chapter 237.131 of the County Administrative Code authorizes the Board of Legislators to alter or change the sewer districts. However, the Board of Legislators may only alter or change the districts after a public hearing is held thereon by the Board of Legislators, upon notice thereof given by publication in such manner and for such time as the Board shall direct. Therefore, attached hereto is a Resolution which will authorize Legal Notice for the public hearing as required by the Administrative Code.

Your Committee notes that the removal of the Parcel would constitute an Unlisted Action under Article 8 of the Environmental Conservation Law, which requires an appropriate environmental review. Your Committee has carefully considered the proposed legislation. It has reviewed the attached Short Environmental Assessment Form (EAF) and the criteria contained in Section 617.7 of Title 6 of the New York State Code of Rules and Regulations, the SEQR regulations, to identify the relevant areas of environmental concern. For the reasons set forth in the attached EAF, your Committee believes that the proposed action will not have any significant adverse impact on the environment and urges your Honorable Board to adopt the annexed resolution by which this Board would issue a Negative Declaration for this proposed action.

Based on the above facts, the Feasibility Report prepared by the Department of Environmental Facilities and the review by the Planning Department, your Committee concurs with the recommendation of the County Executive and recommends your Honorable Board adopt the annexed Resolution which will authorize Legal Notice for the public hearing which is required by the Administrative Code in such matters, and, after such hearing, urges your Honorable Board to adopt the annexed Act which accomplishes the removal of said Parcel from the District. It should be noted that a vote of not less than a majority of the voting strength of the Board of Legislators is required to pass this Act.

C: JPG 09/21/21

Dated: November 18, 2021

White Plains, New York

COMMITTEE ON

Budget & Appropriations	Public Works & Transportation	Environment & Health
RLR Walker	RLR Walker	RLR Walker

Dated: November 18, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Environment & Health	Budget &Appropriations	Public Works & Transportation
Mary Jane Shimsky	Catherine F. Parker	Mary Jane Shimsky
Catherine F. Parker	Vincent R. Maher	Catherine F. Parker
Nancy E. Barr	Margaret A. Cunzio	Tyler Ulrich
	Alfedah Williams	
	Nancy E. Barr	
	Tyler Ulrich	

FISCAL IMPACT STATEMENT

SUBJECT: 25 Cecilia Lane, Saw Mill SSD, Mt. Pleasant [X] **NO FISCAL IMPACT PROJECTED**

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

[ ] GENERAL FUND [ ] AIRPORT FUND [X] SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense $ -

Total Current Year Revenue $ -

Source of Funds (check one): [X] Current Appropriations [ ] Transfer of Existing Appropriations

[ ] Additional Appropriations [ ] Other (explain)

Identify Accounts:

Potential Related Operating Budget Expenses: Annual Amount $ -

Describe: None. Parcel is not connected to public sanitary sewer.

Potential Related Operating Budget Revenues: Annual Amount $ -

Describe: Parcel represents 0.0035% of the Full Equalized Value of the Saw Mill SSD

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

Current Year:

Next Four Years:

Prepared by: Marian Pompa, Jr. P.E.

Title: Acting Director of Maintenance

Department: Environmental Facilities

Date: September 13, 2021

Reviewed By: Anne C. Sum

Budget Director

Date: 11/15/21

SUSAN MARMOL
Town Clerk

EXTRACT OF THE MINUTES
OF THE REGULAR MEETING
OF THE TOWN BOARD
TOWN OF MOUNT PLEASANT
WESTCHESTER COUNTY, NY
HELD APRIL 27, 2021

REQUEST FOR REMOVAL FROM WESTCHESTER COUNTY SAW MILL SANITARY SEWER - RAND & DALE JOSEPH, 25 CECILIA LANE, PLEASANTVILLE, NEW YORK, SECTION 100.13, BLOCK 1, LOT 13

RESOLUTION 185-21

Upon motion of Mrs. Smalley, seconded by Mrs. Zaino and unanimously carried, it was

WHEREAS, certain property owners(s) within the County of Westchester Sewer District have requested removal of their property from the Westchester County Saw Mill Sanitary Sewer District because their property is not serviced by sanitary sewers and it is not anticipated that sanitary sewers will be construct in this area in the foreseeable future, and

WHEREAS, certain properties are similarly situated,

NOW THEREFORE IT IS RESOLVED: That the County Board of Legislators is requested to remove the following parcel and such other parcels as may be appropriate from the Westchester County Saw Mill Sanitary Sewer District.

Name	Tax Map	Address
Rand & Dale Joseph	100.13-1-13	25 Cecilia Lane Pleasantville, NY

Susan Marmol
SUSAN MARMOL
TOWN CLERK
TOWN OF MOUNT PLEASANT

ONE TOWN HALL PLAZA VALHALLA, N.Y. 10595 PHONE: 914-742-2312 FAX: 914-747-6172

- Recycled Paper -

COUNTY OF WESTCHESTER

DEPARTMENT OF ENVIRONMENTAL FACILITIES

September 13, 2021

FEASIBILITY REPORT
IN THE MATTER OF

THE REMOVAL OF A CERTAIN PARCEL

IN THE

SAW MILL VALLEY SANITARY SEWER DISTRICT

TOWN OF MOUNT PLEASANT

Vincent Kopicki, P.E.
MP Commissioner
Environmental Facilities

The Town of Mount Pleasant has petitioned that one (1) property currently included in the Saw Mill Valley Sanitary Sewer District be removed from the Saw Mill Valley Sewer District.

A. The identification of the property presently within the Saw Mill Sewer District and to be removed is contained on the attached Town Resolution of the Town of Mount Pleasant, Request for Removal from the Saw Mill Valley Sanitary Sewer District as prepared by the Mount Pleasant Town Clerk. The Town of Mount Pleasant is petitioning to remove said property from the Saw Mill Valley Sewer District. The property to be removed is known as 25 Cecilia Lane, Section 100.13, Block 1, Lot 13.

B. EFFECT ON SEWER DISTRICT TAX RATE:

Full Equalized Valuations, which are assessed values adjusted for equalization rates, form the basis on which the sewer district tax levies are apportioned by the County Board of Legislators. The following are the full equalized valuations in the 2021 levy pertinent to the subject parcels:

Full Value of Saw Mill District

CITIES/TOWNS	ASSESSED VALUES	EQ. PERCENT	FULL VALUE
Greenburgh	$9,520,454,717	100.00%	$9,520,454,717
-Mt. Pleasant-			
All except-			
(Briarcliff Manor)	$153,434,898	1.37%	$11,199,627,591
Mt. Pleasant-			
Briarcliff Manor	$ 2,663,697	1.37%	$ 194,430,438
New Castle	$283,114,924	19.06%	$1,485,387,849
-Ossining-			
All Except			
(Briarcliff Manor)	$111,165,900	100.00%	$ 111,165,900
Ossining-			
Briarcliff Manor	$988,726,190	100.00%	$ 988,726,190
Yonkers	$ 84,745,132	2.14%	$3,148,129,020
TOTAL:			$27,459,845,582
(TOWN OF MOUNT PLEASANT)Total Value Removed:			(-948,905)
TOTAL FULL VALUE OF DISTRICT AS AMENDED:			$27,458,896,677*

*Represents a 0.0035% decrease in the FEV of the District

C. Summary and Recommendations

The proposal to remove a certain parcel in the Saw Mill Valley Sanitary Sewer Districts is feasible because:

1. The proposed change was requested by the Town of Mount Pleasant.

2. The subject change requires no engineering modifications to the district facilities and there is no impact on the County facilities because this parcel was never connected to the sewerage system.

3. The subject change removes from ad valorem taxation a property that has not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Town of Mount Pleasant.

4. The subject change frees reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities.

5. The subject parcel once removed from the district will be required to petition the County to re-enter the district. The County is not obligated to reserve any capacity for this parcel once it has been removed.

6. The subject parcel was reviewed by the Westchester County Health Department.

FileName:FEAS_25_Cecilia_Lane.docx

RESOLUTION NO -2021

WHEREAS, there is pending before this Honorable Board an Act to authorize the County to modify the Saw Mill Valley Sanitary Sewer District (the "District") by removing one (1) parcel of property in the Town of Mount Pleasant, which parcel is not currently connected to the County sewer system; and

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

WHEREAS, pursuant to SEQRA and its implementing regulations (6 NYCRR Part 617), this project is classified as an "Unlisted" action, which requires this Honorable Board to make a determination as to whether the proposed action will have a significant impact on the environment; and

WHEREAS, the County of Westchester is the only involved agency for this action and, therefore, is assuming the role of Lead Agency; and

WHEREAS, in accordance with SEQRA and its implementing regulations, a Short Environmental Assessment Form has been prepared to assist this Honorable Board in its environmental assessment of this proposed action; and

WHEREAS, this Honorable Board has carefully considered the proposed action and has reviewed the attached Short Environmental Assessment Form and the criteria set forth in Section 617.7 of the implmementing regulations and has identified the relevant areas of environmental concern, as described in the attached Short Environmental Assessment Form, to determine if this proposed action will have a significant adverse impact on the environment.

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

RESOLVED, that based upon this Honorable Board's review of the Short Environmental Assessment Form and the reasons set forth therein, this Board finds that

there will be no significant adverse impact on the environment from the removal of this one (1) parcel of property from the Saw Mill Valley Sanitary Sewer District; and be it further

RESOLVED, the Clerk of the Board of Legislators is authorized and directed to sign the Determination of Significance in the Short Environmental Assessment Form, which is attached and made a part hereof, as responsible officer in Lead Agency; to issue this "Negative Declaration" on behalf of this Board in satisfaction of SEQRA; and to immediately transmit same to the Acting Commissioner of Planning to be filed, published and made available pursuant to the requirements of Part 617 of 6 NYCRR; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Westchester gov.com

Memorandum
Department of Planning

TO: Vincent Kopicki, P.E., Commissioner
Department of Environmental Facilities

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

DATE: October 26, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR SAW MILL VALLEY SANITATRY SEWER DISTRICT MODIFICATION – REMOVAL OF 25 CECILIA LANE, TOWN OF MOUNT PLEASANT**

In response to your request for an environmental review of the above referenced action, the Planning Department has prepared the attached documentation.

The proposed removal of a parcel from the sewer district has been classified as an Unlisted action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR). A Short Environmental Assessment Form has been prepared for consideration by the Board of Legislators.

Please contact me if you require any additional information regarding these documents.

DSK/cnm
Att.

cc: Joan McDonald, Director of Operations
Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Norma Drummond, Commissioner
Jeffrey Goldman, Senior Assistant County Attorney
Marian Pompa, Director of Maintenance, Department of Environmental Facilities
Claudia Maxwell, Associate Environmental Planner

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information

Name of Action or Project:

Saw Mill Valley Sanitary Sewer District - Removal of One Parcel

Project Location (describe, and attach a location map):

25 Cecilia Lane (Tax Map ID: 100.13- 1-13), Pleasantville (Town of Mount Pleasant), Westchester County, New York

Brief Description of Proposed Action:

Removal of one parcel from the Saw Mill Valley Sanitary Sewer District. At the request of the property owners, the Town of Mount Pleasant has petitioned the County to remove the subject parcel from the County sewer district on the basis that the parcel is not serviced by sanitary sewers and the Town does not anticipate that sanitary sewers would be constructed in this area in the foreseeable future. The parcel is approximately 1.4 acre in size and is developed with a single-family residence. The residence is served by an on-site septic system. The proposed district modification will remove from ad valorem taxation, a property that has not, does not, nor is anticipated to receive district benefits.

Name of Applicant or Sponsor:	Telephone: 914-995-4400
County of Westchester	E-Mail: dsk2@westchestergov.com

Address:

148 Martine Avenue

City/PO:	State:	Zip Code:
White Plains	NY	10601

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☐	☑
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:	☐	☐

3. a. Total acreage of the site of the proposed action? _____ acres
   b. Total acreage to be physically disturbed? _____ acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)
   ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☐

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		
If Yes, identify: _____	☐	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☐	☐
b. Are public transportation services available at or near the site of the proposed action?	☐	☐
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☐

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements?		
If the proposed action will exceed requirements, describe design features and technologies: _____	☐	☐

	NO	YES
10. Will the proposed action connect to an existing public/private water supply?		
If No, describe method for providing potable water: _____	☐	☐

	NO	YES
11. Will the proposed action connect to existing wastewater utilities?		
If No, describe method for providing wastewater treatment: _____	☐	☐

	NO	YES
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	☐	☐
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☐

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☐	☐
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		

	NO	YES
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☐	☐
16. Is the project site located in the 100-year flood plan?	☐	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources?	☐	☐
If Yes,		
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☐
If Yes, briefly describe: _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	☐	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	☐	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	☐	☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

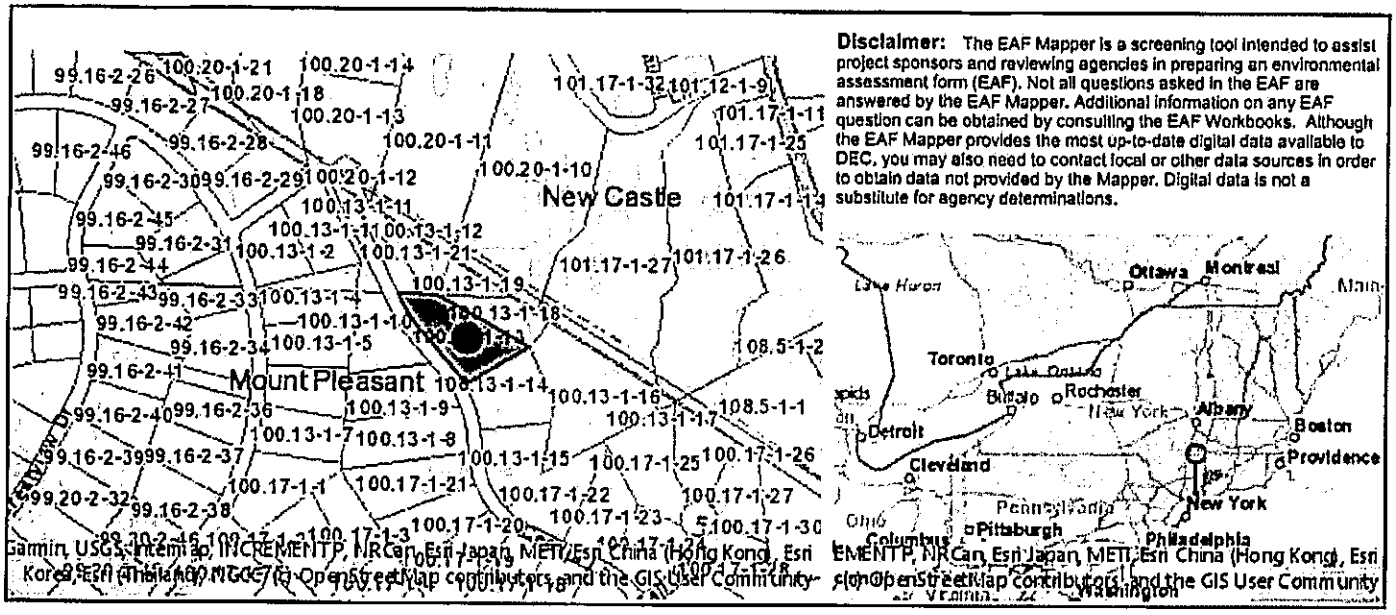
Applicant/sponsor/name: County of Westchester Date: October 26, 2021

Signature: Dan Kinge Title: Director of Environmental Planning

PRINT FORM

EAF Mapper Summary Report

Tuesday, October 19, 2021 5:30 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Agency Use Only [If applicable]

Project: Saw Mill SSD - 25 Cecilia La, MTP

Date: October 2021

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☑	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☑	☐
3. Will the proposed action impair the character or quality of the existing community?	☑	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☑	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☑	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☑	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☑	☐
b. public / private wastewater treatment utilities?	☑	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☑	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☑	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☑	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☑	☐

PRINT FORM

Agency Use Only [If applicable]

Project: Saw Mill SSD 25 Cecilia La, MTP

Date: October 2021

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed action involves an act by the County Board of Legislators in order to modify a County-established sewer district, which is similar in nature to "the legislative adoption of a plan" in that there are no direct impacts to the environment because the action does not involve physical changes. The proposed action would remove from a district property that is not receiving nor is anticipated to receive district services. The parcel is more than an acre in size and already developed with a single-family residence that is served by a functioning on-site septic system. The County Health Department has no record of septic problems or failures occurring at this site, which may otherwise warrant inclusion in the district. Additionally, the property is located in the Town's R-40 One Family Residential zoning district; as such, no new development is anticipated that would warrant a sewer connection. The nearest local sewer is located over 400 feet away. The Town does not have any plans to extend its local sewer lines to serve this property. Since the property was never connected to the sewer system, its removal from the district will have no physical impact on the County's sewer infrastructure.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

County of Westchester	
Name of Lead Agency	Date
Malika Vanderberg	Clerk of the Board of Legislators
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	Dan Kisge
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

ACT NO. – 2021

AN ACT to Modify the Saw Mill Valley Sanitary Sewer District by the Removal of One (1) Parcel of Property located in the Town of Mt. Pleasant.

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

Section 1. The property located in the Town of Mt. Pleasant, more particularly described as 25 Cecilia Lane, Section 100.13, Block 1, Lot 13 (the "Parcel"), is hereby removed from the Saw Mill Valley Sanitary Sewer District (the "District").

Section 2. The Parcel is to be forgiven its obligation for future debt service requirement and is to relinquish its equity in existing sewage facilities in the District, and in return the District is relieved of its responsibility to provide sanitary sewer service and sewerage facilities to the Parcel.

Section 3. This Act, and the assessment area of the District as so altered, changed, modified, reduced and/or enlarged hereby, shall become effective immediately and the assessment rolls filed after the next taxable status date shall show County sewer district assessments and taxes on the basis of such revised District, and taxes levied on such roles shall be based thereon, but any sewer district tax or assessment levied on any valid assessment rolls in effect prior to the next taxable status date, on any parcel affected by the revisions made by this Act shall continue valid as such or as a tax lien, until paid and the amount paid shall be credited to the sewer district in which such parcel was assessed on the roll on which said tax is levied.

Section 4. The County Executive or his authorized designee be and hereby is authorized and empowered to execute instruments and to take any and all action necessary and appropriate to accomplish the purposes hereof.

Section 5. This Act shall take effect immediately.

SI #2021-590

HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER

Your Committee is in receipt of a communication from the County Executive recommending the approval of an Act which, if adopted, would authorize the County of Westchester (the "County"), would authorize the County of Westchester (the "County"), acting by and through its Department of Senior Programs and Services (the "Department"), to enter into a grant agreement with the New York State Office for the Aging ("NYSOFA"), to accept grant funds made available to the County under the Consolidated Appropriations Act, HDC5, for services to be provided in accordance with Title III-C of the Older Americans Act ("OAA"), in the not to exceed amount of $406,157 for the term retroactive to December 27, 2020 and through September 30, 2022 ("Grant Agreement"). The Grant funds may be used for any eligible service under New York State's Major Disaster Declaration ("MDD") until the date the MDD was lifted, and for the period after that date the funds must be utilized pursuant to Title IIIC-2 of the OAA requirements and include home-delivered nutrition services to help seniors remain in their homes and community The Act also authorizes the County enter into intermunicipal agreements ("IMAs") utilizing Grant funds, with the following municipal corporations as defined in Article 5-G of the New York State General Municipal Law and located within Westchester County, for the term retroactive to December 27, 2020 and through September 30, 2022:

Town of Cortlandt
Town of Eastchester
Town of Greenburgh
Town of Mamaroneck
Village/Town of Mount Kisco
Town of Mount Pleasant
City of Mount Vernon
Town of New Castle
City of New Rochelle
Town of Ossining
City of Peekskill
Village of Port Chester
Town of Somers
City of White Plains
City of Yonkers
Town of Yorktown

The total aggregate amount of the IMAs will not exceed the total amount of the Grant Agreement. The services provided pursuant to the IMAs correspond to the Consolidated Appropriations Act and are for any eligible service under the MDD. After the lifting of the MDD, the services to be provided pursuant to the IMAs must correspond to the OAA for Title III-C services: home-delivered meals and other nutrition-related services to help seniors remain in their homes and community.

The proposed Grant Agreement with NYSOFA and the proposed IMAs do not meet the definition of an "action" under the State Environmental Quality Review Act, 6 NYCRR part 617. Accordingly, no further environmental review is required. Your Committee has reviewed the memorandum from the Department of Planning dated May 14, 2021, which is on file with the Clerk of the Board of Legislators and concurs with this conclusion.

Your Committee has been advised that the passage of the attached Act requires an affirmative vote of a majority of the members of your Honorable Board.

Your Committee has been advised that adoption of the proposed legislation is necessary to effectively carry out this worthwhile program. Accordingly, after due consideration, your Committee recommends adoption of the annexed Act.

Dated: 11/18, 2021
White Plains, New York

Ruth Weiss

COMMITTEE ON

DI 11-5-21

Seniors Youth & Intergenerational Services

Budget & Appropriations

Dated: November 18, 2021
White Plains, New York

The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

SENIORS, YOUTH & INTERGENERATIONAL SERVICES

Doris J. Jubrisb

Budget & Appropriations

Margaret A. Cunzio

Nancy E. Barr

Catherine F. Parker

Doris J. Jubrisb

Kathleen R. Maher

FISCAL IMPACT STATEMENT

SUBJECT: HDC5 - Consolidated Appropriations Act ☐ **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 $ 406157

Total Current Year Revenue $ 406157

Source of Funds (check one): ☒ Current Appropriations

☐ Transfer of Existing Appropriations ☐ Additional Appropriations ☐ Other (explain)

Identify Accounts: 263-85-G031

Potential Related Operating Budget Expenses: Annual Amount $ 0

Describe:

Potential Related Revenues: Annual Amount $ 406157

Describe: Consolidated Appropriations Act funds received from the Federal Government under the Older American's Act to expand nutrition and nutrition-related services.

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

Current Year: The Department would not be able to provide supplemental nutrition and nutrition-related services as needed.

Next Four years:

N/A

Prepared by: Sandra Brown

Title: Director of Program Development II

Department: Senior Programs & Svcs.

Reviewed By: Budget Director

11/5/21

If you need more space, please attach additional sheets.

ACT NO. – 2021

AN ACT to authorize the County to enter into a grant agreement with the New York State Office for the Aging to accept grant funds under the Consolidated Appropriations Act, HDC5 and Title III-C of the Older Americans Act and to inter into intermunicipal agreements with local municipalities for services to be funded pursuant to the grant.

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

Section 1. The County of Westchester (the "County") be and hereby is authorized to enter into a grant agreement with the New York State Office for the Aging ("NYSOFA") to accept grant funds made available to the County pursuant the Consolidated Appropriations Act, HDC5 for services to be provided pursuant to Title III-C of the Older Americans Act ("OAA") in the total amount not to exceed $406,157 for the term retroactive to December 27, 2020 and through September 30, 2022 ("Grant Agreement").

§2. The County is hereby further authorized to enter into intermunicipal agreements ("IMAs") with the following municipal corporations as defined in Article 5-G of the New York State General Municipal Law and located within Westchester County, for the term retroactive to December 27, 2020 and through September 30, 2022:

Town of Cortlandt
Town of Eastchester
Town of Greenburgh
Town of Mamaroneck
Village/Town of Mount Kisco
Town of Mount Pleasant
City of Mount Vernon
Town of New Castle
City of New Rochelle
Town of Ossining
City of Peekskill
Village of Port Chester
Town of Somers
City of White Plains

§3. The total aggregate amount of the IMAs will not exceed the total amount of the Grant Agreement. The services to be provided pursuant to the IMAs may be used for any eligible service under New York State's Major Disaster Declaration ("MDD") until the date the MDD was lifted, and for the period after that date the funds must be utilized pursuant to Title III-C of the OAA, for home-delivered meals and other nutrition-related services to help seniors remain in their homes and community.

§4. This Act shall take effect immediately.

THIS AGREEMENT ("Agreement"), made this
_____ day of _____, 2021, 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

_____, a municipal corporation organized under the laws of the State of New York, having an office and principal place of business at

_____

(hereinafter referred to as the "Municipality", and hereinafter collectively referred to as the "Parties")

WITNESSETH:

WHEREAS, the County, acting by and through its Department of Senior Programs and Services ("Department"), has been awarded certain federal emergency stimulus grants from the New York State Office for the Aging ("NYSOFA") to expand certain existing nutrition and support services to seniors 60 years and older under Title III-C-2 of the Older Americans Act ("OAA"), to be paid with Consolidated Appropriations Act ("CA Act") funds under the CA Act – HDC5 Program; and

WHEREAS, the Municipality represents that it is an organization capable of coordinating and providing said nutrition services, including home-delivered meals, and related supportive services to seniors residing in Westchester County, to improve the well-being of those elderly persons who are at high risk of malnutrition as required by the CA Act - HDC5- Program (, the "Program"); and

WHEREAS, the Municipality desires to provide the Program services upon the terms and conditions hereinafter set forth, and the County desires the Municipality to provide such Program services upon such terms and conditions.

NOW, THEREFORE, in consideration of the terms, conditions, covenants,

and agreements contained herein, the Parties hereto agree as follows:

1. The Municipality shall provide the Program services, as more particularly described in Schedule "C" (the "Work"). All Work must be performed in accordance with the terms of the Standard Assurances in Schedule "C" and the Standard Assurances in the approved Four Year Plan (the "Plan") attached hereto and made a part hereof in the form of Schedule "F." The Municipality shall also comply with the terms and conditions set forth in Schedules "A", "D" and "E". It is expressly understood and agreed by the Parties hereto that all schedules to this Agreement applicable to the New York State Office for the Aging ("NYSOFA") and all schedules applicable to the County are subject to the approval of and modification of each, as necessary.

2. The term of the Agreement shall commence retroactive to December 27, 2020 and expire on September 30, 2022, unless terminated sooner pursuant to the provisions hereof.

3. For the Work performed pursuant to Paragraph 1, the Contractor shall be paid up to an amount not to exceed $_____, subject to appropriations and payable pursuant to an approved budget amount indicated in Schedule "B", attached hereto, and made a part hereof, after the County has received claims or vouchers, and any or all supporting documentation the County may require and the same has been approved by the Commissioner of the Department of Senior Programs and Services or her duly authorized designee (the "Commissioner"). Payment shall be made on a monthly basis and only for expenses actually incurred and paid by the Contractor, which shall be subject to downward adjustment by the County based upon actual program services rendered by the Contractor during the term of the Agreement. The foregoing obligation of the County is conditioned upon compliance by the Contractor with all the terms and conditions contained in this Agreement.

The Parties recognize and acknowledge that the obligations of the County under this Agreement are subject to the County's receipt of the Notification of Grant Award letter from NYSOFA to meet the needs of the senior nutrition programs under the Older Americans Act.

If, for any reason, the Notification of Grant Award Letter is not received by the County from NYSOFA, the County may terminate this Agreement immediately or reduce the amount payable to the Municipality, in the sole and complete 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.

In addition, the Parties recognize and acknowledge that the obligations of the County under this Agreement are subject to annual appropriations by its Board of Legislators pursuant to the Laws of Westchester County. Therefore, this Agreement shall be deemed executory only to the extent of the monies appropriated and available. The County shall have no liability under this Agreement beyond funds appropriated and the County shall have no liability under this Agreement beyond funds appropriated and available for payment pursuant to this Agreement. The Parties understand and intend that the obligation of the County hereunder shall constitute a current expense of the County and shall not in any way be construed to be a debt of the County in contravention of any applicable constitutional or statutory limitations or requirements concerning the creation of indebtedness by the County, nor shall anything contained in this Agreement constitute a pledge of the general tax revenues, funds or moneys of the County. The County shall pay amounts due under this Agreement exclusively from legally available funds appropriated for this purpose. The County shall retain the right, upon the occurrence of the adoption of any County Budget by its Board of Legislators during the term of this Agreement or any amendments thereto, and for a reasonable period of time after such adoption(s), to conduct an analysis of the impacts of any such County 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 set forth 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.

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.

The County shall not be obligated to make any payment to the Municipality hereunder unless and until the Municipality has complied with all of the terms and conditions contained in this Agreement.

4. The Municipality understands and agrees that it shall be solely responsible for any overserved units of services that it provides, and the County shall have no liability whatsoever therefore.

The County may, in its discretion, if it shall deem such payment to be required in furtherance of the Program, pay the Municipality prior to receipt of payment or approval thereof from NYSOFA, provided that, in the event NYSOFA subsequently fails or refuses to pay the County, the Municipality shall immediately reimburse the County for such payment made to the Municipality, or, the County, in its sole discretion, may deduct such amount from future payments due and owing the Municipality under this Agreement or other agreements the County may have with the

Municipality, in the sole discretion of the County. 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.

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.

5. The Municipality shall comply, at its own expense, with the provisions of all applicable Federal, State and local laws, regulations, rules, executive orders, policies, orders, notices, and related guidance, as such provisions may be amended from time to time, including, but not limited to the laws, rules and regulations detailed in the Plan in Schedule "F".

In addition, the Municipality shall cause to be prominently posted, on the site where services hereunder are to be provided, a statement regarding non-discrimination, which statement shall be similar in form to the following:

> "In compliance with 29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973, as amended) and 42 U.S.C. § 2000d et. seq. (Title VI of the 1964 Civil Rights Act) and New York State Executive Law and orders, no persons will be denied service or access to service based upon race, creed, color, national origin, religion, marital status, sexual orientation, genetic predisposition, carrier status, or handicapping condition."

6. The Municipality hereby 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, s, or others.

7. (a) There shall be no partisan political activity in connection with this Agreement, including (i) candidate endorsements (ii) registration activities which are partisan in nature (iii) scheduled meetings of services recipients with public officials or candidates unless event is open on an equal basis to all candidates and officials regardless of policy views or partisan affiliation. This does not preclude the legitimate right of elected officials and other community leaders to visit programs in their areas.

(b) The Municipality shall ensure that any services to be provided under this Agreement shall be secular in nature and scope and in no event shall there be any sectarian or religious services, counseling, proselytizing, instruction or other sectarian, religious influence undertaken in connection with the provision of such

services. The Municipality shall refrain from using funds to advance any sectarian effort.

8. Except for subcontracts specifically provided for in Schedule C, if applicable, the Municipality shall not assign, transfer, subcontract, or otherwise dispose of this Agreement or any right, duty or interest herein, without the prior express written approval of the County. Any attempted assignment, transfer, subcontract or other disposal of any right, duty or interest under this Agreement not in compliance with this section shall be void ab initio.

All subcontracts for which the Municipality has obtained such prior written approval shall provide that subcontractors are subject to all terms and conditions set forth in the contract documents. All Work performed by an approved subcontractor shall be deemed Work performed by the Municipality.

9. The Municipality must attempt to provide service to low income minority older individuals in at least the same proportion as the population of low-income minority older individuals bears to the population of older individuals of the area served by such Municipality. As a material element of this Agreement, Municipality agrees to fully comply with the provisions required by the Office for the Aging concerning equal access to services, non-discrimination and concentration of services on target populations, as more fully set forth in Schedule "C", attached hereto and made a part hereof.

10. Statistical information and supporting documentation concerning the Program conducted hereunder shall be provided to the County by the Municipality on request of the County.

Documentation of reports and expenses shall include, without limiting the right to require additional documentation: invoices for all purchases, payroll time records, payroll records for local support contribution and municipal payment vouchers for governmental agencies.

The Programmatic monthly reporting system for Service Delivery Information and Service Recipient Information must be submitted electronically in the NYSOFA's Client Statewide Data System (PeerPlace). Until further notice, the Municipality is required to mail in the PeerPlace MONTHLY ELECTRONIC PAPER REPORT and or other approved reporting measure, signed by the staff member responsible for the report. The reports should be received by the County no later than the tenth (10th) day of the following month and/or entered on the website at the same time. The Municipality understands and agrees that submission of the monthly report by the deadline set forth above constitutes a material element of this Agreement. The County reserves the right to withhold payment to the Municipality for its failure to submit the monthly report by the deadline, until such time as the monthly report is received by the County. Repeated failures by the Municipality to submit the monthly report by the stated deadline will constitute a material breach of this Agreement justifying termination for cause as provided in Paragraph "15" hereof.

The Municipality shall furnish the County with copies of all insurance certificates, food contracts, rental agreements, and transportation agreements relating to the service provided by the Municipality hereunder.

The Municipality agrees to procure and maintain insurance naming the County of Westchester as additional insured, as provided and described in Schedule "A", 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 "A", 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 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.

11. The Municipality agrees that any Program, public information materials, or other printed or published materials on the Work of the Program which is supported with Unmet Need funds will give due recognition to NYSOFA and the Westchester County Department of Senior Programs and Services and as appropriate the Administration on Aging/Administration for Community Living (AoA/ACL) of the United States Department of Health and Human Services ("HHS").

12. All records compiled by the Municipality in completing the Work described in this Agreement, including but not limited to written reports, drawings, negatives of photographs, computer printouts, graphs, charts, plans, specifications and all other similar recorded data, shall become and remain the property of the County. The Municipality may retain copies of such records for its own use.

13. If equipment costing $1,000.00 or more is purchased with any Federal or State funds under the Plan, and the equipment is no longer needed for activities supported by such Programs, NYSOFA/County reserve the right to select a recipient for and approve the transfer to such recipient of such equipment, which must be used for services to older adults. The Municipality understands, acknowledges, and agrees that it shall have no ownership interest in such equipment.

14. The Municipality shall provide adequate qualified and trained personnel

for supervision and fiscal management of the Program.

15. (a) The County, upon ten (10) 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 as specified in Schedule "B". Upon receipt of notice that the County is terminating this Agreement in its best interests, the Municipality shall stop Work immediately and incur no further costs in furtherance of this Agreement without the express approval of the Commissioner, and the Municipality shall direct any approved subcontractors to do the same.

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 Attorney 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 forty-eight (48) hours 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 shall be effective on the date of receipt. Without limiting the foregoing, upon written notice to the Municipality, repeated breaches by Municipality of any particular duty or obligation under this Agreement shall be deemed a material breach of this Agreement justifying termination for cause hereunder without requirement for further opportunity to cure. Notice shall be effective on the date of receipt.

16. The failure of the County to insist, in any one or more instances, upon a

strict performance of any of the terms, covenants, agreements and conditions of this Agreement, shall not be considered as a waiver or relinquishment for the future of such covenant, but the same shall continue and remain in full force and effect.

17. All notices of any nature referred to in this Agreement shall be in writing and either sent by registered or certified mail postage pre-paid, or sent by hand or overnight courier, or sent by facsimile (with acknowledgment received and a copy of the notice sent by registered or certified mail postage pre-paid), to the addresses as set forth below or to such other addresses as the respective Parties hereto may designate in writing. Notice shall be effective on the date of receipt. Notices shall be sent to the following:

To the County: Commissioner
Department of Senior Programs and Services
9 South First Avenue, 10th Floor
Mount Vernon, New York 10550-3414

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

To the Municipality: _____
_____
_____
_____

18. The Municipality expressly agrees that it has no interest and will not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of the services and duties hereunder. The Municipality further agrees that, in the performance of this Agreement, no person having any such interest shall be employed by it. The Municipality shall use all reasonable means to avoid any conflict of interest with the County and shall immediately notify the County in the event of a conflict of interest. The Municipality shall also use all reasonable means to avoid any appearance of impropriety.

The Municipality represents and warrants that it has not employed or retained any person, other than a bona fide full time salaried employee Working solely for the Municipality, to solicit or secure this agreement, and that it has not paid or agreed to pay any person (other than payments of fixed salary to a bona fide full time salaried employee Working solely for the Municipality), any fee, commission, percentage, gift or other consideration, contingent upon or resulting from the award or making of this agreement. For the breach or violation of this provision, without limiting any other rights or remedies to which the County may be entitled or any civil or criminal penalty to which any violator may be liable, the County shall have the right, in its discretion, to terminate this agreement without liability, and to deduct from the contract price, or otherwise to recover, the full amount of such fee, commission, percentage, gift or consideration.

19. The Municipality agrees, as a material element of this agreement, that no information about an elderly person, or obtained from such elderly person, shall be disclosed by the Municipality to a third party in a form that identifies such elderly person, unless the disclosure is specifically required by court order, program monitoring by authorized Federal, State or local monitoring agencies, or by actual or immediate danger to the health, safety or welfare of such elderly person.

20. The Municipality represents and warrants that it, its principals, and affiliates (as defined in 2 C.F.R. Part 180) are not currently debarred or suspended and the Municipality agrees to complete the "Certification Regarding Debarment and Suspension," which is attached hereto and made a part hereof of Schedule "D." The Municipality agrees that it shall immediately notify the County if it, its principals, and/or affiliates is/are debarred or suspended, or its, its principals', and/or affiliates' debarment or suspension appears likely. The Municipality further agrees to comply, and to require

its subcontractors to comply, with the debarment and suspension regulations in 2 C.F.R. Part 376, as well as the applicable requirements of 2 C.F.R. Part 180.

The Municipality represents and warrants that it is not currently excluded from receiving Federal contracts, certain subcontracts, and certain types of Federal financial and non-financial assistance and benefits, by virtue of being on the United

States General Service Administration's the Excluded Parties List System (EPLS), available at http://www.sam.gov as part of the System for Awards Management (SAM). The Municipality agrees that it shall immediately notify the County if it is so-excluded, or its exclusion appears likely.

The Municipality represents and warrants that it is not currently on any debarment, suspension, or exclusion list of New York State or any political subdivision thereof, and has not been found non-responsible by New York State or any political subdivision thereof. The Municipality agrees that it shall immediately notify the County if it is added to any debarment, suspension, or exclusion list of New York State or any political subdivision thereof, or its addition to such lists appears likely. The Municipality agrees that it shall immediately notify the County if it is found non-responsible by New York State or any political subdivision thereof, or such a finding of non-responsibility appears likely.

The Municipality understands and acknowledges that the County is relying upon the Municipality's above-described representations and warranties.

Without limiting any of the foregoing, the Municipality certifies that, to the best of its knowledge and belief, it is and will be in compliance with 2 C.F.R. Part 376, regarding nonprocurrement debarment and suspension concerning public (Federal, State or local) transactions. If necessary, the Municipality will submit an explanation of why it cannot provide this certification.

All payments made by the County to the Municipality will be made by electronic funds transfer pursuant to the County's Vendor Direct program. The Municipality acknowledges that it is already enrolled in the County's Vendor Direct Program and agrees that if there are changes to the information contained in the authorization forms it will notify the Westchester County Finance Department directly.

21. As a material element of this Agreement, the Municipality agrees to fully comply with the Contributions Policy in NYSOFA's Program Instruction 18-PI-17 that is attached hereto as Schedule "E" and forms a part of this Agreement. The

Municipality shall provide participants an opportunity to voluntarily contribute to the cost of the service received, as appropriate. The Municipality shall use all collected contributions to expand the service for which the contributions were given to supplement the funds received under the Program. The Municipality shall advise the participant that he or she may make a money contribution toward each meal received by participant pursuant to this Agreement. The amount of such contribution shall be suggested and posted by the Nutrition Site Council for the Municipality. The Municipality shall not however, deny a meal to a participant who does not make such contribution.

22. This Agreement shall be governed by the laws of New York State. 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.

23. 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.

24. This Agreement and its attachments constitute the entire Agreement between the Parties with respect to the subject matter hereof and shall supersede all previous negotiations, commitments 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.

25. This Agreement shall not be enforceable until signed by all Parties and approved by the Office of the County Attorney.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement.

THE COUNTY OF WESTCHESTER

By _____
Mae Carpenter, Commissioner
Department of Senior Programs
and Services

[INSERT NAME OF MUNICIPALITY]

By_____
(Signature)

_____
(Name)

_____
(Title)

Approved by the Westchester County Board of Legislators pursuant to Act _____ -2021, adopted on the _____ day of _____, 2021.

Approved as to form and manner of execution:

_____
Sr. Assistant County Attorney
The County of Westchester

MUNICIPALITY 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 _____, 2021, 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"

STANDARD INSURANCE PROVISIONS
(Municipality)

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. 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."

b) 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).

c) 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 Municipality and Sub-Contractor.
iv. Products and Completed Operations.

d) 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.

All Contracts involving the use of explosives, demolition and/or underground Work shall provide proof that XCU is covered.

e) 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.

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.

INSERT SCHEDULES "B" & "C"

SCHEDULE "D"

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

1) In order to assure compliance with 2 C.F.R. Part 180, 2 C.F.R. Part 376, and other applicable law, the Municipality certifies that it, its principals, and affiliates

(a) Are not presently disbarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by any Federal department or agency;

(b) Have not within a 3-year period preceding this Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction, including any violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a Government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (b) above; and

(d) Have not within a 3-year period preceding this Agreement had one or more public transactions (Federal, State or local) terminated for cause or default.

2) Where the Municipality is unable to certify to any of the statements in this paragraph, the Municipality shall attach an explanation to this certification.

_____
Contracting Entity's Name

_____
Authorized Signature

Name: _____

Title:_____

Date:_____

SCHEDULE "E"

NEW YORK STATE OFFICE FOR THE AGING

PROGRAM INSTRUCTION 18-PI-17

NYSOFA CONTRIBUTIONS
AND OTHER PROGRAM INCOME POLICY

SCHEDULE "F"

NEW YORK STATE OFFICE FOR THE AGING

STANDARD ASSURANCES

ATTACHMENT A,
The 2021-22 Annual Update to the 2020-24 Four-Year Plan
APRIL 1, 2021 – MARCH 31, 2022