



## Committee on Environment, Health & Energy

~AGENDA~

Monday, May 21, 2018

10:01 AM

Committee Chair: Nancy Barr

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Committee Room, 148 Martine Avenue, 8th Floor, White Plains, NY 10601

[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

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### CALL TO ORDER

Joint with Budget & Appropriations

### MINUTES APPROVAL

### I. ITEMS FOR DISCUSSION

1. **(ID # 10889) Act – BOND ACT-BLR2D-Labs & Research Equipment Acq. '16-'20:**

A BOND ACT authorizing the issuance of SEVEN HUNDRED SIXTY-NINE THOUSAND (\$769,000) DOLLARS in bonds of Westchester County to finance Capital Project BLR2D - Labs and Research Equipment Acquisition (2016-2020).

### II. OTHER BUSINESS

Unfinished Business and any other agenda items to come before the Committee.

### III. RECEIVE & FILE

### ADJOURNMENT



George Latimer  
County Executive

April 27, 2018

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 adopted, would authorize the County of Westchester (the “County”) to issue up to Seven Hundred Sixty-Nine Thousand (\$769,000) Dollars in bonds of the County to finance the following capital project:

**BLR2D - Labs and Research Equipment Acquisition (2016-2020) (“BLR2D”).**

This project funds the acquisition of new and replacement equipment for the Department of Labs and Research’s (the “Department”) public health, forensic science, toxicology, environmental and medical examiner labs. The Department must use complex, high-tech new and replacement instrumentation in order to carry out its required activities and maintain a state of the art laboratory facility. This instrumentation is necessary for the continued health and safety of Westchester County residents.

The current bonding request will fund the replacement and acquisition of equipment such as a Mass Spectrometer, Scanning Electron Microscope, Micro Polymerase Chain Reaction System, and a portable X-ray Machine. It is expected that the Department will purchase the equipment within eighteen to twenty-four months after bonding authorization.

It should be noted that your Honorable Board has previously authorized bonding in connection with prior components of BLR2D as follows: Bond Act No. 12-2016 in the amount of \$815,000 which funded various equipment for the Department; and Bond Act No. 148-2017 in the amount of \$795,000 which also funded various equipment for the Department.

The Planning Department has advised that, based on its review, the above referenced capital project is classified as a “Type II” action pursuant to the State Environmental Quality Review Act (“SEQRA”). Therefore, no further environmental review is required for this project. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Office of the County Executive

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

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

Sincerely,



George Latimer  
County Executive

GL/KA/PS/jpg

Reference BLR2D

**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 bonding legislation (the “Bond Act”) in the amount of \$769,000 for capital project BLR2D - Labs and Research Equipment Acquisition (2016-2020) (“BLR2D”).

Your Committee is advised that this project funds the acquisition of new and replacement equipment for the Department of Labs and Research’s (the “Department”) public health, forensic science, toxicology, environmental and medical examiner labs. As this Honorable Board knows, the Department must use complex, high-tech new and replacement instrumentation in order to carry out its required activities and maintain a state of the art laboratory facility. This instrumentation is necessary for the continued health and safety of Westchester County residents.

The Department has advised that the Bond Act, prepared by the law firm of Hawkins Delafield & Wood, LLP, will fund the replacement and acquisition of equipment such as a Mass Spectrometer, Scanning Electron Microscope, Micro Polymerase Chain Reaction System, and a portable X-ray Machine. The Department has advised your Committee that it expects to purchase the equipment within eighteen to twenty-four months after bonding authorization.

It should be noted that this Honorable Board has previously authorized bonding in connection with prior components of BLR2D as follows: Bond Act No. 12-2016 in the amount of \$815,000 which funded various equipment for the Department; and Bond Act No. 148-2017 in the amount of \$795,000 which also funded various equipment for the Department.

The Planning Department has advised that, based on its review, the above capital project is a “Type II” action under the State Environmental Quality Review Act (“SEQRA”), and its implementing regulations, 6 NYCRR Part 617, which is an action determined not to have a significant effect on the environment and therefore does not require further environmental review. Your Committee has reviewed the annexed SEQRA status sheet prepared by the Planning Department 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: \_\_\_\_\_, 2018  
White Plains, New York

**COMMITTEE ON**

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# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BLR2D  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	\$	769,000	PPU	5	Anticipated Interest Rate	1.93%
Anticipated Annual Cost (Principal and Interest):	\$	162,684				
Total Debt Service (Annual Cost x Term):	\$	813,422				

Finance Department: Interest rates from 4-16-2018 Bond Buyer - jrf9

**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):

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**SECTION D - EMPLOYMENT**  
As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded:      n/a

**SECTION E - EXPECTED DESIGN WORK PROVIDER**

County Staff       Consultant       Not Applicable


Prepared by:	<u>Peggy Schmidt</u>		
Title:	<u>Asst Director of Admn</u>	Reviewed By:	<u><i>[Signature]</i></u>
Department:	<u>Labs &amp; Research</u>		Budget Director
Date:	<u>4/20/18</u>	Date:	<u>4/24/18</u>

Attachment: BOND ACT-BLR2D-Labs & Research Equipment Acq. '16-'20-DRAFT (10889 : BOND ACT-BLR2D-Labs & Research Equipment Acq.



Memorandum  
Department of Planning

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

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

DATE: April 18, 2018

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
BLR2D Labs and Research Equipment Acquisition (2016-2020)**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 04-04-2018 (Unique ID: 729)

**With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, no further environmental review is required for the proposed action, because the project or component of the project for which funding is requested:**

- DOES NOT CONSTITUTE AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)**
- IS CLASSIFIED AS TYPE II PURSUANT TO SECTION 617.5(c)(25):** 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.

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**COMMENTS:** None

DSK/kle

cc: Andrew Ferris, Chief of Staff  
Lawrence Soule, Budget Director  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Lorraine Yazzetta, Associate Budget Analyst  
Anthony Zaino, Director of Design  
Edward Hoffmeister, Secretary to the Capital Projects Committee  
William Brady, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

REFERENCE BLR2D

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

BOND ACT AUTHORIZING THE ISSUANCE OF \$769,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF LAB EQUIPMENT FOR THE DEPARTMENT OF LABS AND RESEARCH, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$769,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$769,000 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, \$769,000 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 lab equipment, the replacement and acquisition of equipment such as Mass Spectrometer, Scanning Electron Microscope, Micro Polymerase Chain Reaction System, portable X-ray Machine, 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 total estimated cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing



thereof is \$769,000. The plan of financing includes the issuance of \$769,000 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 of said objects or purposes, 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 \$769,000. 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 \$769,000 as the estimated total cost of the aforesaid class of objects or purposes is hereby approved, and as the amount of bonds herein authorized is not in excess of \$10,000,000, this Act is not subject to referendum.

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. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

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

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

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

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

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

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

(SEAL)

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

Attachment: BOND ACT-BLR2D-Labs & Research Equipment Acq. '16-'20-DRAFT (10889 : BOND ACT-BLR2D-Labs & Research Equipment Acq.



**CAPITAL PROJECT FACT SHEET**

Project ID:\*  CBA Fact Sheet Date:\*  
 BLR2D 03-23-2018

Fact Sheet Year:\* Project Title:\* Legislative District ID:  
 2018 LABS AND RESEARCH EQUIPMENT ACQUISITION (2016-2020) 3,

Category\* Department:\* CP Unique ID:  
 BUILDINGS, LAND & MISCELLANEOUS LABS AND RESEARCH 729

**Overall Project Description**

This project funds for the replacement and acquisition of equipment to support this department's programs.

- 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	2018	2019	2020	2021	2022	Under Review
Gross	4,239	1,610	769	800	1,060	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,239	1,610	769	800	1,060	0	0	0

Expended/Obligated Amount (in thousands) as of : 1,130

**Current Bond Description:** This Request is for the replacement and acquisition of equipment such as Mass Spectrometer, Scanning Electron Microscope, Micro Polymerase Chain Reaction System, portable Xray Machine

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	769,000
Cash:	0
<b>Total:</b>	<b>\$ 769,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

769,000

**Comments:**

**Energy Efficiencies:**

**Appropriation History (in thousands):**

Year	Amount	Description
2016	815,000	PURCHASE OF EQUIPMENT
2017	795,000	CONTINUATION OF THIS PROJECT
2018	769,000	PURCHASE OF EQUIPMENT.

**Total Appropriation History:**

2,379,000

Attachment: BOND ACT-BLR2D-Labs & Research Equipment Acq. '16-'20-DRAFT (10889 : BOND ACT-BLR2D-Labs & Research Equipment Acq.

**Financing History (in thousands):**

Year	Bond Act #	Amount	Issued	Description
16	12	815,000	721,090	LABS AND RESAEARCH EQUIPMENT ACQUISITION (2016 - 2020)
17	148	795,000	0	ACQUISITION OF LAB EQUIPMENT FOR DEPARTMENT OF LABS AND RESEARCH

**Total Financing History:**

1,610,000

**Recommended By:**

Department of Planning  
WBB4

Date  
04-04-2018

Department of Public Works  
RJB4

Date  
04-05-2018

Budget Department  
LMY1

Date  
04-05-2018

Requesting Department  
PSS3

Date  
04-05-2018

Attachment: BOND ACT-BLR2D-Labs &amp; Research Equipment Acq. '16-'20-DRAFT (10889 : BOND ACT-BLR2D-Labs &amp; Research Equipment Acq.

## LABS AND RESEARCH EQUIPMENT ACQUISITION (2016-2020) ( BLR2D )

User Department : Labs and Research  
 Managing Department(s) : Labs and Research ;  
 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 / Obi	2018	2019	2020	2021	2022
Gross	4,239	1,610	1,122	769	800	1,060		Under Review
Non County Share								
<b>Total</b>	<b>4,239</b>	<b>1,610</b>	<b>1,122</b>	<b>769</b>	<b>800</b>	<b>1,060</b>		

### Project Description

This project funds for the replacement and acquisition of equipment to support this department's programs.

### Current Year Description

The current year request funds purchase of equipment.

### Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2018	769,000			769,000

### 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
2016	815,000	Purchase of equipment	IN PROGRESS
2017	795,000	Continuation of this project	IN PROGRESS
<b>Total</b>	<b>1,610,000</b>		

### Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	1,610,000	721,090	888,910
<b>Total</b>	<b>1,610,000</b>	<b>721,090</b>	<b>888,910</b>

### Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
12 16	815,000	12/15/16	43,732	93,910
		12/15/17	571,532	
		12/15/17	104,939	
148 17	795,000	12/15/17	887	795,000
<b>Total</b>	<b>1,610,000</b>		<b>721,090</b>	<b>888,910</b>