



Committee on Environment, Health & Energy

~AGENDA~

Monday, April 15, 2019

10:04 AM

Committee Chair: Nancy Barr

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

www.westchesterlegislators.com

CALL TO ORDER

Joint with Budget & Appropriations and Public Works

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. **(ID # 11738) Act – BOND ACT-BLR2D-Labs & Research Equipment Acq. '16-'20:**

A BOND ACT authorizing the issuance of EIGHT HUNDRED FIFTY THOUSAND (\$850,000) DOLLARS in bonds of Westchester County to finance Capital Project BLR2D - Labs and Research Equipment Acquisition (2016-2020).

Invited Guests

Dr. Milovanovic, Deputy Medical Examiner

Peggy Schmidt - Assistant Director of Administration, Department of Labs & Research

II. OTHER BUSINESS

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

III. RECEIVE & FILE

ADJOURNMENT



George Latimer
County Executive

March 25, 2019

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 \$850,000 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 finance the cost of the acquisition of various lab equipment, such as Vitek compact 15 Instrument, compressor, Gas Chromatograph/Mass Spectrometer, and Auto Analyzer. 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 indicated in the annexed fact sheet.

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 (“SEQR”). 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
148 Martine Avenue
White Plains, New York 10601

Email: CE@westchestergov.com
Telephone: (914)995-2900

westchestergov.com

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/mg

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 authorization (the “Bond Act”) in the amount of \$850,000 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 finance the cost of the acquisition of various lab equipment, such as Vitek compact 15 Instrument, compressor, Gas Chromatograph/Mass Spectrometer, and Auto Analyzer. 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 indicated in the annexed fact sheet.

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 (“SEQR”), 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 SEQR documentation 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: _____, 20____.
White Plains, New York

COMMITTEE ON

c/mg/2.19.19

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 \$ 850,000 PPU 5 Anticipated Interest Rate 1.68%

Anticipated Annual Cost (Principal and Interest): \$ 178,566

Total Debt Service (Annual Cost x Term): \$ 892,828

Finance Department: Interest rates from 03-04-2019 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):

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: Peggy Schmidt

Title: Asst Director of Administration

Department: Labs & Research

Date: 3/18/19

Reviewed By: 


Budget Director

Date: 3/20/19

Attachment: BOND ACT-BLR2D-Labs & Research Equipment Acq. '16-'20-DRAFT (11738 : 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: February 22, 2019

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

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 02-11-2019 (Unique ID: 909)

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)(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 Analyst
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Edward Hoffmeister, Secretary to the Capital Projects Committee
Claudia Maxwell, Associate Environmental Planner

REFERENCE BLR2D

ACT NO. -20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$850,000 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 \$850,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$850,000 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, \$850,000 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 lab equipment, such as Vitek compact 15 Instrument, compressor, Gas Chromatograph/Mass Spectrometer, and Auto Analyzer, 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 \$850,000. The plan of financing includes

the issuance of \$850,000 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 \$850,000. 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 \$850,000 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 (11738 : BOND ACT-BLR2D-Labs & Research Equipment Acq.

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 \$850,000 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 \$850,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$850,000 BONDS HEREIN; 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 lab equipment, such as Vitek compact 15 Instrument, compressor, Gas Chromatograph/Mass Spectrometer, and Auto Analyzer, 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: \$850,000; five (5) years

Dated: _____, 20____
White Plains, New York

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 (11738 : BOND ACT-BLR2D-Labs & Research Equipment Acq.

CAPITAL PROJECT FACT SHEET

Project ID:* BLR2D	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-02-2019
Fact Sheet Year:* 2019	Project Title:* LABS AND RESEARCH EQUIPMENT ACQUISITION (2016-2020)	Legislative District ID: 3,
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* LABS AND RESEARCH	CP Unique ID: 909

Overall Project Description

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

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2019	2020	2021	2022	2023	Under Review
Gross	4,289	2,379	850	1,060	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,289	2,379	850	1,060	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 1,883

Current Bond Description: Bonding is requested to purchase lab equipment, such as Vitek compact 15 Instrument, compressor, Gas Chromatograph/Mass Spectrometer, Auto Analyzer

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	850,000
Cash:	0
Total:	\$ 850,000

SEQR Classification:
TYPE II

Amount Requested:
850,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2016	815,000	PURCHASE OF EQUIPMENT
2017	795,000	CONTINUATION OF THIS PROJECT
2018	769,000	PURCHASE OF EQUIPMENT.
2019	850,000	PURCHASE OF EQUIPMENT

Total Appropriation History:
3,229,000

Attachment: BOND ACT-BLR2D-Labs & Research Equipment Acq. '16-'20-DRAFT (11738 : BOND ACT-BLR2D-Labs & Research Equipment Acq.

Financing History:

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
18	70	769,000	0	ACQUISITION OF NEW AND REPLACEMENT EQUIPMENT FOR DEPT OF LABS & RESEARCH

Total Financing History:

2,379,000

Recommended By:

Department of Planning
WBB4

Date
02-11-2019

Department of Public Works
RJB4

Date
02-11-2019

Budget Department
LMY1

Date
02-11-2019

Requesting Department
PSS3

Date
02-11-2019

Attachment: BOND ACT-BLR2D-Labs & Research Equipment Acq. '16-'20-DRAFT (11738 : BOND ACT-BLR2D-Labs & 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 / Obl	2019	2020	2021	2022	2023
Gross	4,289	2,379	1,890	850	1,060			Under Review
Non County Share								
Total	4,289	2,379	1,890	850	1,060			

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 equipment.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2019	850,000			850,000

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	COMPLETE
2017	795,000	Continuation of this project	IN PROGRESS
2018	769,000	Purchase of equipment.	IN PROGRESS
Total	2,379,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,379,000	1,129,619	1,249,381
Total	2,379,000	1,129,619	1,249,381

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

Bonds Authorized		Amount	Date Sold	Amount Sold	Balance
Bond Act					
12	16	815,000	12/15/16	43,732	72,534
			12/15/17	571,532	
			12/15/17	104,939	
			12/15/17	887	
148	17	795,000	12/10/18	21,376	407,847
70	18	769,000	12/10/18	387,153	769,000
Total		2,379,000		1,129,619	1,249,381