



Committee on Infrastructure

~MINUTES~

Monday, October 2, 2017

10:01 AM

**DRAFT**

Committee Chair: MaryJane Shimsky

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

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

**CALL TO ORDER**

With a quorum present, Chair MaryJane Shimsky called the meeting to order at 10:09 AM.

Joint with B&A. For video, see corresponding October 2, 2017 10am Budget & Appropriations committee meeting.

Attendee Name	Title	Status	Arrived
MaryJane Shimsky	Chair	Present	
Catherine Borgia	D9 Legislator (Majority Leader)	Absent	
Benjamin Boykin	D5 Legislator	Present	
Francis Corcoran	D2 Legislator	Present	
Sheila Marcotte	D10 Legislator	Present	
David J. Tubiolo	D14 Legislator	Present	

Others In Attendance: BOL: Legislator Margaret Cunzio, Legislator David Gelfarb, Aviva Meyer, Alie Restiano, Gary Friedman, Gary Zuckerman, Greg Casciato; WCC: Sherry Mayo; CEO: Adam Rodriguez; DA: Pat D'Imperio; Marguerite Beirne;

**MINUTES APPROVAL**

**I. ITEMS FOR DISCUSSION**

**1. (ID # 10395) Resolution – PH-Lease Agreement with WW Peekskill, LLC - WCC-DRAFT:**

A RESOLUTION setting a Public Hearing on a "LOCAL LAW authorizing the County of Westchester to enter into a lease agreement with WW Peekskill, LLC c/o Alfred Wesimann Real Estate LLC for approximately 20,000 square feet located at 27-35 North Division Street, Peekskill, NY for a term of ten (10) years commencing September 1, 2017, with the County having a five (5) year renewal option" [Public Hearing set for \_\_\_\_\_, 2017 at \_\_\_\_\_ .m.].

Joint with B&A. Items 10395 : PH-Lease Agreement with WW Peekskill, LLC - WCC and 10397 : Lease Agreement with WW Peekskill, LLC - WCC were discussed together.

Adam Rodriguez, Director of Real Estate and Dr. Sherry Mayo, Director of the Peekskill Extension Center of Westchester Community College discussed the request to authorize the renewal of the lease agreement at the space located at 27-35 North Division Street in Peekskill. Dr. Mayo gave history and background on the Center, which includes 20,000 square foot facility, with five post production studios to support a digital arts program, as well as a general education program, ESL and non-credited program, and serves about 1000 students per semester and 2500 county residents a year. The proposed lease is a 10

year term, with a five year option. The base rent for the first year is \$243,400 for the first year, with the county paying for utilities, increase in taxes over the base year, telephone usage, repairs and maintenance, and cleaning services. Mr. Rodriguez pointed out the legislation contained a typo for the base year, which should read "2002-2003". The landlord also has required improvements under the new lease which include renovating the bathrooms, installing glass to reduce utility consumption, replacing lighting in the art gallery, tile repair throughout the facility, painting the studios, installing an ADA compliant electronic front door, and replacing the HVAC. The last lease was a five year term. The dollar amount has changed minimally; Mr. Rodriguez stated he would send the exact figure as well as the prior lease. Pat D'Imperio, the prior CFO of the college, joined the discussion. He explained the increase of rent was 3% year, not to exceed the CPI. There is a schedule and cost estimates for all the planned work. Legislator Shimsky asked how much the new windows and lighting will save energy wise, which Mr. Rodriguez stated he could assess.

With a motion by Legislator Corcoran and seconded by Legislator Boykin the item was approved with a vote of 5-0.

**RESULT: SIGNED BY COMMITTEE**

**2. (ID # 10397) Local Law – Lease Agreement with WW Peekskill, LLC - WCC-DRAFT:**

A LOCAL LAW authorizing the County of Westchester to enter into a lease agreement with WW Peekskill, LLC c/o Alfred Weissman Real Estate, LLC for approximately 20,000 square feet located at 27-35 North Division Street, Peekskill, NY for a term of ten (10) years commencing September 1, 2017, with the County have a five (5) year renewal option.

Joint with B&A. Items 10395 : PH-Lease Agreement with WW Peekskill, LLC - WCC and 10397 : Lease Agreement with WW Peekskill, LLC - WCC were discussed together. See Public Hearing 10395 for discussion.

With a motion by Legislator Corcoran and seconded by Legislator Boykin the item was approved with a vote of 5-0.

**RESULT: SIGNED BY COMMITTEE**

**3. (ID # 10401) Act – BOND ACT-BDA01-Information Technology-DA:**

A BOND ACT authorizing the issuance of TWO HUNDRED FIFTY ONE THOUSAND (\$251,000) DOLLARS in bonds of Westchester County to finance Capital Project BDA01 - Information Technology.

Joint with B&A.

Pat D'Imperio, Chief Administrator for the District Attorney's office, and Marguerite Beirne, Information Technology Director for the District Attorney's office, discussed the request for bonding for the Information Technology upgrades at the DA's office. Mr. D'Imperio explained this is the fourth phase of the \$2.2 million BDA01 Capital project with the board previously approving \$1.544 Million to purchase, upgrade and maintain equipment and software, including allowing the planning of disaster recovery. This phase for \$251,000 will include PCs, laptops, servers, hardware, and upgrade software on the servers. Legislator Shimsky requested a cost breakdown, which Mr. D'Imperio stated he could provide. Mr. D'Imperio detailed some of the prior phases. Ms. Beirne explained the disaster recovery portion of the project, which is largely involves more capacity and encryption. Legislator Shimsky requested the timeline for the purchase of the equipment. Mr. D'Imperio explained that the requisition for phase three is being completed, and as soon as that is complete,

phase four will begin, likely early next year. Legislator Shimsky asked that the timeline be added to the committee report.

With a motion by Legislator Tubiolo and seconded by Legislator Corcoran the item was approved with a vote of 5-0.

<b>RESULT:</b>	<b>SIGNED BY COMMITTEE</b>
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## II. OTHER BUSINESS

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

## III. RECEIVE & FILE

## ADJOURNMENT

Moved by Legislator Tubiolo seconded by Legislator Corcoran the Committee adjourned at 10:30 AM.



Robert P. Astorino  
County Executive

September 19, 2017

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith is a proposed Local Law that would authorize the County of Westchester (the "County") to enter into a lease agreement with WW Peekskill, LLC c/o Alfred Weissman Real Estate, LLC (the "Landlord") for space located at 27-35 North Division Street, Peekskill, New York (the "Leased Premises") for a term of ten (10) years commencing September 1, 2017, with the County having a five (5) year renewal option (the "Lease Agreement").

As part of an ongoing effort to provide educational opportunities to residents of the County who are currently unable to attend classes at the Valhalla campus of Westchester Community College (the "College"), the County, acting by and through the College, has entered into lease agreements in Ossining, Yonkers, Mount Vernon and Peekskill in order to develop satellite campuses to better serve the community. Since 1994, the County and the Landlord have entered into a series of leases for a portion of the Leased Premises as one of the first of such satellite campus facilities. As the Peekskill campus has been quite successful over the past 23 years, the College desires to remain in Peekskill and to enter into a new ten (10) year lease with the Landlord, subject to the County's right to a five (5) year renewal option thereafter.

Pursuant to the Lease Agreement, the County will lease approximately 20,000 square feet of space encompassing both the first and second floors of the Leased Premises. Under the terms of the proposed Lease Agreement, the County will pay basic annual rent of \$243,400 in year 1, with increases each year thereafter effective as of the anniversary of the lease commencement and on each succeeding anniversary thereafter by the lesser of three per cent (3%) or the increase between the then current Consumer Price Index, Urban Wage Earners and Clerical Workers published by the Bureau of Labor Statistics of the United States Dept. of Labor, New York, New York – Northern NJ area, all items (1982-1984=100) ("CPI") and the CPI for the previous September.

Under the Lease Agreement, the County will pay for all required services for the Leased Premises including, but not limited to, water, oil, gas, heat, sewer, telephone, electric, security and janitorial and any other required utility services. The County will make arrangements directly with the appropriate companies providing such services. The County will also be responsible to maintain

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

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

and repair the Leased Premises, while the Landlord will remain responsible for repairs to the structural portion of the Leased Premises, including the roof. The County will be responsible to pay for maintenance and service agreements for the following: HVAC maintenance; elevator maintenance; pest control; and backflow testing. The County will also pay as additional rent 100% of any increase over base real estate taxes. The base tax year will be 2016-2017.

The Landlord will be responsible to make the following renovations to the Leased Premises: renovate restrooms; replace front and rear glass with insulated glass, replace front and rear signage, replace art gallery lighting, replace flooring, install a new security desk, weatherproof second floor windows, paint lab space, and install an automatic front door that complies with the Americans with Disabilities Act.

As your Honorable Board is aware, no action may be taken with regard to the proposed legislation until the requirements of the State Environmental Quality Review Act ("SEQRA") and the regulations promulgated thereunder (6 NYCRR Part 617), have been met. The Planning Department has advised that this lease constitutes a Type II action pursuant to SEQRA. Therefore, no further environmental review is required.

I believe that the Lease Agreement is in the County's best interests. Therefore, I recommend the favorable action of your Honorable Board on the annexed proposed legislation.

Sincerely,



Robert P. Astorino  
County Executive

RPA/BSM/dlv  
Attachments

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

Your Committee is in receipt of a communication from the County Executive recommending approval of a proposed Local Law that would authorize the County of Westchester (the “County”) to enter into a lease agreement with WW Peekskill, LLC c/o Alfred Weissman Real Estate, LLC (the “Landlord”) for space located at 27-35 North Division Street, Peekskill, New York (the “Leased Premises”) for a term of ten (10) years commencing September 1, 2017, with the County having a five (5) year renewal option (the “Lease Agreement”).

As part of an ongoing effort to provide educational opportunities to residents of the County who are currently unable to attend classes at the Valhalla campus of Westchester Community College (the “College”), the County, acting by and through the College, has entered into lease agreements in Ossining, Yonkers, Mount Vernon and Peekskill in order to develop satellite campuses to better serve the community. Since 1994, the County and the Landlord have entered into a series of leases for a portion of the Leased Premises as one of the first of such satellite campus facilities. As the Peekskill campus has been quite successful over the past 23 years, the College desires to remain in Peekskill and to enter into a new ten (10) year lease with the Landlord, subject to the County’s right to a five (5) year renewal option thereafter.

Pursuant to the Lease Agreement, the County will lease approximately 20,000 square feet of space encompassing both the first and second floors of the Leased Premises. Under the terms of the proposed Lease Agreement, the County will pay basic annual rent of \$243,400 in year 1, with increases each year thereafter effective as of the anniversary of the lease commencement and on each succeeding anniversary thereafter by the lesser of three per cent (3%) or the increase between the then current Consumer Price Index, Urban Wage Earners and Clerical Workers published by the Bureau of Labor Statistics of the United States Dept. of Labor, New York, New York – Northern NJ area, all items (1982-1984=100) (“CPI”) and the CPI for the previous September.

Under the Lease Agreement, the County will pay for all required services for the Leased Premises including, but not limited to, water, oil, gas, heat, sewer, telephone, electric, security and janitorial and any other required utility services. The County will make arrangements directly with the appropriate companies providing such services. The County will also be responsible to maintain and repair the Leased Premises, while the Landlord will remain responsible for repairs to the structural portion of the Leased Premises, including the roof. The County will be responsible to pay for maintenance and service agreements for the following: HVAC maintenance; elevator maintenance; pest control; and backflow testing. The County will also pay as additional rent 100% of any increase over base real estate taxes. The base tax year will be 2016-2017.

The Landlord will be responsible to make the following renovations to the Leased Premises: renovate restrooms; replace front and rear glass with insulated glass, replace front and rear signage, replace art gallery lighting, replace flooring, install a new security desk, weatherproof second floor windows, paint lab space, and install an automatic front door that complies with the Americans with Disabilities Act.

As your Honorable Board is aware, no action may be taken with regard to the proposed legislation until the requirements of the State Environmental Quality Review Act (“SEQRA”) and the regulations promulgated thereunder (6 NYCRR Part 617), have been met. The Planning Department has advised that this lease constitutes a Type II action pursuant to SEQRA. Therefore, no further environmental review is required. Your Committee concurs with this conclusion.

Your Committee has been informed that passage of the Local Law authorizing the Lease Agreement pursuant to Section 104.11(5)(e) requires an affirmative vote of not less than two-thirds of the voting strength of your Honorable Board.



Your Committee believes that the Lease Agreement is in the County's best interests. Therefore, your Committee recommends the favorable action of your Honorable Board on the annexed proposed legislation.

Dated: \_\_\_\_\_, 2017  
White Plains, New York

**COMMITTEE ON**

C: DLV 8-3-17



# FISCAL IMPACT STATEMENT

SUBJECT: WCC Peekskill Lease Extension       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)  
 WESTCHESTER COMMUNITY COLLEGE

### B) EXPENSES AND REVENUES

Total Current Year Cost      \$ 243,400

Total Current Year Revenue \$ \_\_\_\_\_

Source of Funds (check one):       Current Appropriations

Transfer of Existing Appropriations       Additional Appropriations       Other (explain)

Identify Accounts: Peekskill 78-8191-4320

WESTCHESTER COMMUNITY COLLEGE

Potential Related Operating Budget Expenses:      Annual Amount \$ 243,400

Describe: 09/01/17 - 8/31/27 : \$243,400 with 3% annual increases or based on the CPI (the lesser of the two) and 100% of any increase over the base real estate taxes (2016-17)

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

Potential Related Revenues:      Annual Amount \$ \_\_\_\_\_

Describe: \_\_\_\_\_

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

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

Current Year: \_\_\_\_\_

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

Next Four years: 2018/19 est 243,400 x 1.03% = \$250,702

est 2019/20 = \$258,223.06

est 2020/21 = \$265,969.75

est 2021/22 = \$273,948.84

Prepared by: William Olli

Title:      Sr Budget Analyst

Department: Budget

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

Budget Director


If you need more space, please attach additional sheets.

Attachment: PH-Lease Agreement with WW Peekskill, LLC - WCC-DRAFT (10395 : PH-Lease Agreement with WW Peekskill, LLC - WCC)



Memorandum  
Department of Planning

TO: Adam Rodriguez  
Director of Real Estate

FROM: Eileen Mildenberger   
Acting Commissioner

DATE: July 28, 2017

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR WESTCHESTER  
COMMUNITY COLLEGE PEEKSKILL SATELLITE LEASE**

In response to your request, the Planning Department has reviewed the above referenced action with respect to the State Environmental Quality Review Act and its implementing regulations, 6NYCRR Part 617 (SEQR).

The action involves a lease of approximately 20,000 square feet of space at 27-35 North Division Street in Peekskill for use by the Westchester Community College (WCC) to provide educational opportunities to residents who cannot attend classes at WCC's main campus in Valhalla. WCC has been leasing space at this location for such purpose since 1994 and the current lease is due to expire. The new lease is for a term of 10 years with a 5-year renewal option. Under the new agreement, the landlord will be required to provide certain renovations in addition to any necessary structural repairs. Required work will include: renovation of the restrooms; replacement of certain glass, signage, lighting and flooring; weatherproofing and painting; installation of a new security desk and an automatic front door in compliance with the Americans with Disabilities Act.

Since this is essentially a renewal of an existing lease, requiring only minor renovations to the existing facility, the proposed lease agreement may be classified as a Type II action, pursuant to sections: 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 or fire codes;" and 617.5(c)(26), "license, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities." As such, no further environmental review is required.

Please contact my office if you need any additional information regarding this classification.

EMM/cnm

cc: Robert Alberty, Deputy Chief of Staff  
Paula Friedman, Assistant to the County Executive  
David Vutera, Senior Assistant County Attorney  
David Kvinge, Director of Environmental Planning

**RESOLUTION NO. - 2017**

**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. -2017 entitled "A LOCAL LAW authorizing the County of Westchester to enter into a lease agreement with the WW Peekskill, LLC c/o Alfred Weissman Real Estate, LLC for approximately 20,000 square feet located at 27-35 North Division Street, Peekskill, New York for a term of ten (10) years commencing September 1, 2017, with the County having a five (5) year renewal option". The public hearing will be held at \_\_\_\_\_ m. on the \_\_\_\_\_ day of \_\_\_\_\_, 2017 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.

**LOCAL LAW INTRO. NO. \_\_\_\_ - 2017**

A Local Law authorizing the County of Westchester to enter into a lease agreement with WW Peekskill, LLC c/o Alfred Weissman Real Estate, LLC for approximately 20,000 square feet located at 27-35 North Division Street, Peekskill, New York for a term of ten (10) years commencing September 1, 2017, with the County having a five (5) year renewal option.

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

**Section 1.** The County of Westchester (“County”) is hereby authorized to enter into a lease agreement with WW Peekskill, LLC c/o Alfred Weissman Real Estate, LLC (the “Landlord”) for approximately 20,000 square feet located at 27-35 North Division Street, Peekskill, New York (the “Leased Premises”) for a term of ten (10) years commencing September 1, 2017, with the County having a five (5) year renewal option.

**§2.** Pursuant to the Lease Agreement, the County shall pay basic annual rent of \$243,400.00 in year 1, with increases each year thereafter by the lesser of three per cent (3%) or the increase in the Consumer Price Index, Urban Wage Earners and Clerical Workers published by the Bureau of Labor Statistics of the United States Dept. of Labor, New York, New York – Northern NJ area, all items (1982-1984=100).

**§3.** Under the Lease Agreement, the County shall pay for all required services for the Leased Premises including, but not limited to, water, oil, gas, heat, sewer, telephone, electric,

security and janitorial and any other required utility services. The County shall make arrangements directly with the appropriate companies providing such services. The County shall also be responsible to maintain and repair the Leased Premises, while the Landlord shall remain responsible for repairs to the structural portion of the Leased Premises, including the roof. The County shall be responsible to pay for maintenance and service agreements for the following: HVAC maintenance; elevator maintenance; pest control; and backflow testing. The County shall also pay as additional rent 100% of any increase over base real estate taxes. The base tax year will be 2016-2017.

§4. Under the Lease Agreement, the Landlord shall be responsible to make the following renovations to the Leased Premises: renovate restrooms; replace front and rear glass with insulated glass, replace front and rear signage, replace art gallery lighting, replace flooring, install a new security desk, weatherproof second floor windows, paint lab space, and install an automatic front door that complies with the Americans with Disabilities Act.

§5. The County Executive or his authorized designee is hereby authorized to execute any instruments and to take any action necessary and appropriate to effectuate the purposes hereof.

§6. This Local Law shall take effect immediately.



Robert P. Astorino  
County Executive

September 19, 2017

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is a proposed bond act (the “Bond Act”) in the amount of Two Hundred Fifty One Thousand (\$251,000) Dollars which, if adopted, would authorize the County of Westchester (the “County”) to finance the following capital project:

BDA01 – Information Technology (“BDA01”).

The proposed Bond Act, in the amount of Two Hundred Fifty One Thousand (\$251,000) Dollars, will fund continued Phase II upgrades to technology equipment, software, systems and the professional installation of the equipment for the District Attorney's Office, various locations.

As the chief law enforcement officer of Westchester County, the District Attorney is responsible for the investigation and prosecution of all crimes and offenses committed in the County. This project will enable the District Attorney's Office to carry out this mandate by allowing for the purchase, upgrade and maintenance of information technology equipment, software and systems supporting the various District Attorney's Office locations throughout the County. The Project includes, but is not limited to, the upgrade of infrastructure wiring, security systems, off the shelf and proprietary software applications, server and storage equipment, networking equipment, desktop systems, peripherals and hand-held devices and professional installation services. This project also includes a plan for disaster recovery should our area be subject to a catastrophic event.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to fund prior components of this project as follows: Bond Act No. 22-2014 in the amount of Four Hundred Fifty Three Thousand (\$453,000) Dollars which funded the purchase and installation of IT improvements, \$436,952 of which has been sold; Bond Act No. 151-2015 in the amount of Five Hundred Seventy-One Thousand (\$571,000) Dollars which funded the purchase of IT equipment, software and systems, \$396,031 of which has been sold; and Bond Act No. 3-2017 in the amount of Five Hundred Twenty Thousand (\$520,000) Dollars which funded the purchase of IT equipment, software and systems, which bond has not been sold.

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 ("SEQRA") 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.

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

Sincerely,



Robert P. Astorino  
County Executive

RPA/PK/jpg  
Attachments



Reference BDA01

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

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 \$251,000, to finance capital project BDA01 – Information Technology (“BDA01”).

Your Committee is advised that the Bond Act, which was prepared by the law firm of Hawkins Delafield & Wood, LLP, will fund continued Phase II upgrades to technology equipment, software, systems and the professional installation of the equipment for the District Attorney's Office, various locations.

Your Committee is advised that as the chief law enforcement officer of Westchester County, the District Attorney is responsible for the investigation and prosecution of all crimes and offenses committed in the County. This project will enable the District Attorney's Office to carry out this mandate by allowing for the purchase, upgrade and maintenance of information technology equipment, software and systems supporting the various District Attorney's Office locations throughout the County. The Project includes, but is not limited to, the upgrade of infrastructure wiring, security systems, off the shelf and proprietary software applications, server and storage equipment, networking equipment, desktop systems, peripherals and hand-held devices and professional installation services. This project also includes a plan for disaster recovery should our area be subject to a catastrophic event.

Your Committee notes that this Honorable Board has previously authorized the County to issue bonds to fund prior components of this project as follows: Bond Act No. 22-2014 in the amount of \$453,000 which funded the purchase and installation of IT improvements, \$436,952 of which has been sold; Bond Act No. 151-2015 in the amount of \$571,000 which funded the purchase of IT equipment, software and systems, \$396,031 of which has been sold; and Bond Act No. 3-2017 in the amount of \$520,000 which funded the purchase of IT equipment, software and systems, which bond has not been sold.

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.

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.

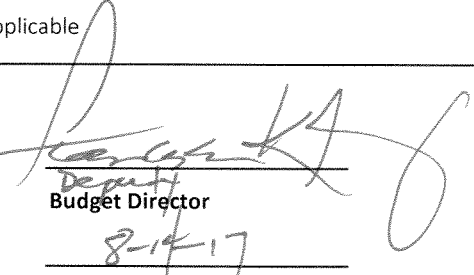
Your Committee has carefully considered the proposed Bond Act and recommends approval of same.

Date: \_\_\_\_\_, 2017  
White Plains, New York

COMMITTEE ON

C:\JPG\6.05.17

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>BDA01</u>		<input type="checkbox"/> NO FISCAL IMPACT PROJECTED	
<b>SECTION A - CAPITAL BUDGET IMPACT</b> To Be Completed by Budget			
<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND	
Source of County Funds (check one):		<input checked="" type="checkbox"/> Current Appropriations	<input type="checkbox"/> Capital Budget Amendment
<b>SECTION B - BONDING AUTHORIZATIONS</b> To Be Completed by Finance			
Total Principal	\$ 251,000	PPU	5
		Anticipated Interest Rate	1.05%
Anticipated Annual Cost (Principal and Interest):		\$	51,779
Total Debt Service (Annual Cost x Term):		\$	258,895
Finance Department: Interest rates from 06-14-2017 Bond Buyer - CAV			
<b>SECTION C - IMPACT ON OPERATING BUDGET</b> (exclusive of debt service) To Be Completed by Submitting Department and Reviewed by Budget			
Potential Related Expenses (Annual):		0	
Potential Related Revenues (Annual):		0	
Anticipated savings to County and/or impact of department operations (describe in detail for current and next four years):			
<u>The primary departmental impact of this project will be the continued modernization, consolidation and streamlining of IT infrastructure, the expansion of Hi-Tech storage systems, backup system replacements, desk</u>			
<b>SECTION D - EMPLOYMENT</b> As per federal guidelines, each \$92,000 of appropriation funds one FTE Job			
Number of Full Time Equivalent (FTE) Jobs Funded:		0	
<b>SECTION E - EXPECTED DESIGN WORK PROVIDER</b>			
<input checked="" type="checkbox"/> County Staff	<input checked="" type="checkbox"/> Consultant	<input type="checkbox"/> Not Applicable	
Prepared by:	<u>Pat A. D'Imperio Jr.</u>	Reviewed By:  Deputy Budget Director	
Title:	<u>Chief Administrator</u>		
Department:	<u>Office of the District Attorney</u>		
Date:	<u>08/11/17</u>		
		Date: <u>8-14-17</u>	

Attachment: BOND ACT-BDA01-Information Technology-DA-DRAFT (10401 : BOND ACT-BDA01-Information Technology-DA)

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

FROM: Eileen Mildenberger *EM*  
Acting Commissioner

DATE: 6/7/17

SUBJECT: **SEQR DOCUMENTATION FOR CAPITAL PROJECT:  
BDA01 Information Technology**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 5-24-2017 (Unique ID: 297)

**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.

EMM/PN

cc: Lawrence Soule, Budget Director  
Robert Alberty, Deputy Chief of Staff  
Paula Friedman, Assistant to the County Executive  
James Robertson, Assistant Chief Deputy County Attorney  
Lorraine Yazzetta, Senior Budget Analyst  
Patrick Natarelli, Chief Planner  
Edward Hoffmeister, Secretary to the Capital Projects Committee  
Claudia Ng Maxwell, Associate Environmental Planner

REFERENCE BDA01

ACT NO. - 20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$251,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF INFORMATION TECHNOLOGY EQUIPMENT, SOFTWARE AND SYSTEMS FOR THE DISTRICT ATTORNEY'S OFFICE; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$251,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$251,000 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, \$251,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance Phase II of the planned upgrades to technology equipment, software, systems and the professional installation of the equipment at the District Attorney's various locations, all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said class of objects or purposes, including preliminary

costs and costs incidental thereto and the financing thereof is \$251,000. The plan of financing includes the issuance of \$251,000 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 the class of objects or purposes for which the \$251,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.35 of the Law, is five (5) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$251,000. 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 \$251,000 as the estimated total cost of the aforesaid 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 within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.



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

\* \* \*

Attachment: BOND ACT-BDA01-Information Technology-DA-DRAFT (10401 : BOND ACT-BDA01-Information Technology-DA)

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\_\_\_.

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

(SEAL)

Attachment: BOND ACT-BDA01-Information Technology-DA-DRAFT (10401 : BOND ACT-BDA01-Information Technology-DA)

## 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 \$251,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF INFORMATION TECHNOLOGY EQUIPMENT, SOFTWARE AND SYSTEMS FOR THE DISTRICT ATTORNEY'S OFFICE; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$251,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$251,000 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 Phase II of the planned upgrades to technology equipment, software, systems and the professional installation of the equipment at the District Attorney's various locations, 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: \$251,000; five (5) years

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

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

**CAPITAL PROJECT FACT SHEET**

<b>Project ID:*</b> BDA01	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 03-02-2017
<b>Fact Sheet Year:*</b> 2017	<b>Project Title:*</b> INFORMATION TECHNOLOGY	<b>Legislative District ID:</b> 8,
<b>Category*</b> BUILDINGS, LAND & MISCELLANEOUS	<b>Department:*</b> DISTRICT ATTORNEY	<b>CP Unique ID:</b> 297

**Overall Project Description**

As the chief law enforcement officer of Westchester County, the District Attorney is responsible for the investigation and prosecution of all crimes and offenses committed in the County. This project will enable the District Attorney's Office to carry out this mandate by allowing for the purchase, upgrade and maintenance of information technology equipment, software and systems supporting the various District Attorney's Office locations throughout the County. The Project includes, but is not limited to, the upgrade of infrastructure wiring, security systems, off the shelf and proprietary software applications, server and storage equipment, networking equipment, desktop systems, peripherals and hand-held devices. This Project also includes a plan for disaster recovery should our area be subject to a catastrophic event.

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

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

	Estimated Ultimate Total Cost	Appropriated	2017	2018	2019	2020	2021	Under Review
<b>Gross</b>	2,202	1,544	251	407	0	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	2,202	1,544	251	407	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 882

**Current Bond Description:** This request funds work under Phase II of the continued upgrades to technology equipment, software, systems and the professional installation of the equipment at the District Attorney's various locations.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	251,000
Cash:	0
<b>Total:</b>	<b>\$ 251,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

251,000

**Comments:**

**Energy Efficiencies:**

Attachment: BOND ACT-BDA01-Information Technology-DA-DRAFT (10401 : BOND ACT-BDA01-Information Technology-DA)

**Appropriation History (in thousands):**

Year	Amount	Description
2014	453,000	VARIOUS NEEDS FOR ALL DA OFFICES ACROSS THE COUNTY
2015	571,000	UPGRADES TO TECHNOLOGY EQUIPMENT, SOFTWARE, AND SYSTEMS
2016	520,000	PHASE II
2017	251,000	ADDITIONAL FUNDING PHASE II

**Total Appropriation History:**

1,795,000

**Financing History (in thousands):**

Year	Bond Act #	Amount	Issued	Description
14	22	453,000	436,952	INFORMATION TECHNOLOGY INSTALLATION AND IMPROVEMENTS FOR DA OFFICE FACILITIES
15	151	571,000	396,031	INFORMATION TECHNOLOGY UPGRADES AT DISTRICT ATTORNEY'S OFFICE
17	3	520,000	0	IT UPGRADE TO DISTRICT ATTORNEY'S OFFICE

**Total Financing History:**

1,544,000

**Recommended By:**

<b>Department of Planning</b>	<b>Date</b>
PPN2	05-24-2017
<b>Department of Public Works</b>	<b>Date</b>
RJB4	05-25-2017
<b>Budget Department</b>	<b>Date</b>
LMY1	05-30-2017
<b>Requesting Department</b>	<b>Date</b>
PAKA	06-05-2017

# INFORMATION TECHNOLOGY ( BDA01 )

**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	2017	2018	2019	2020	2021	Under Review
Gross	2,202	1,544	876	251	407				
Non County Share									
<b>Total</b>	<b>2,202</b>	<b>1,544</b>	<b>876</b>	<b>251</b>	<b>407</b>				

**Project Description**

As the chief law enforcement officer of Westchester County, the District Attorney is responsible for the investigation and prosecution of all crimes and offenses committed in the County. This project will enable the District Attorney's Office to carry out this mandate by allowing for the purchase, upgrade and maintenance of information technology equipment, software and systems supporting the various District Attorney's Office locations throughout the County. The Project includes, but is not limited to, the upgrade of infrastructure wiring, security systems, off the shelf and proprietary software applications, server and storage equipment, networking equipment, desktop systems, peripherals and hand-held devices. This Project also includes a plan for disaster recovery should our area be subject to a catastrophic event.

**Current Year Description**

The current year request funds Phase II of this project.

**Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2017	251,000			251,000

**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	453,000	Various needs for all DA Offices across the County	IN PROGRESS
2015	571,000	Upgrades to technology equipment, software, and systems	IN PROGRESS
2016	520,000	Phase II	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>1,544,000</b>		

**Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	1,544,000	832,983	711,017
<b>Total</b>	<b>1,544,000</b>	<b>832,983</b>	<b>711,017</b>

**Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
22 14	453,000	12/15/16	436,952	16,048
151 15	571,000	12/16/16	396,031	174,969
<b>Total</b>	<b>1,024,000</b>		<b>832,983</b>	<b>191,017</b>