

George Latimer
County Executive

October 18, 2018

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is a bond act (the "Bond Act") which, if adopted by your Honorable Board, would authorize the County of Westchester (the "County") to issue up to Two Hundred Thousand (\$200,000) Dollars in bonds of the County to finance the following capital project:

BCR51 – Fleet Vehicle Replacement ("BCR51").

The Bond Act, in the total amount of Two Hundred Thousand (\$200,000) Dollars, is required to fund the replacement of aging motor pool vehicles for the Department of Correction (the "Department"). These vehicles have accumulated excessive mileage, rust and rot and are at the end of their useful life.

The Department has advised that the anticipated replacement vehicles, including three (3) Ford Fusion Responders, one (1) Utility Vehicle and one (1) Ford Explorer Interceptor, are expected to be purchased by the first quarter of 2019.

It should be noted that your Honorable Board has previously authorized the County to issue bonds for prior components of this capital project as follows: Bond Act No. 90-2015 in the amount of Two Hundred Thousand (\$200,000) Dollars which funded the replacement of aging motor pool vehicles, \$198,170 of which has been sold; Bond Act No. 297-2016 in the amount of Two Hundred Thousand (\$200,000) Dollars, which also funded the replacement of aging motor pool vehicles, which has not yet been sold; and Bond Act No. 133-2017 in the amount of Two Hundred Thousand (\$200,000) Dollars, which also funded the replacement of aging motor pool vehicles, which has not yet 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.

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 project to the County, favorable action on the annexed Act is respectfully requested.

Sincerely,

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

George Latimer
County Executive

GL/JKS/WF/jpg

**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"), which if adopted, will authorize the County (the "County") to issue up to \$200,000 in bonds of the County to finance capital project BCR51 - Fleet Vehicle Replacement ("BCR51").

Your Committee is advised that the Bond Act, which was prepared by the law firm of Hawkins, Delafield & Wood, LLP, will fund the replacement of aging motor pool vehicles for the Department of Correction (the "Department"). These vehicles have accumulated excessive mileage, rust and rot and are at the end of their useful life.

The Department has advised that the anticipated replacement vehicles, including three (3) Ford Fusion Responders, one (1) Utility Vehicle and one (1) Ford Explorer Interceptor, are expected to be purchased by the first quarter of 2019.

Your Committee notes that this Honorable Board has previously authorized the County to issue bonds for prior components of this capital project as follows: Bond Act No. 90-2015 in the amount of \$200,000 which funded the replacement of aging motor pool vehicles, \$198,170 of which has been sold; Bond Act No. 297-2016 in the amount of \$200,000, which also funded the replacement of aging motor pool vehicles, which has not yet been sold; and Bond Act No. 133-2017 in the amount of \$200,000, which also funded the replacement of aging motor pool vehicles, which has not yet 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 documentation prepared by the Planning Department and concurs with this conclusion.

Please note that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act. Your Committee has carefully considered and recommends approval of the proposed Bond Act.

Dated: _____, 2018
White Plains, New York

c/JPG/9.21.18

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BCR51

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 \$ 200,000 PPU 3 Anticipated Interest Rate 2.03%

Anticipated Annual Cost (Principal and Interest): \$ 69,371

Total Debt Service (Annual Cost x Term): \$ 208,113

Finance Department: Interest rates from 10-04-2018 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):

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: James Birrittella

Title: Chief of Administration

Department: Correction

Date: 10/15/18


Reviewed By: [Signature]

Budget Director

Date: 10/15/18

10/16/18

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

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

DATE: October 9, 2018

SUBJECT: STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BCR51 FLEET VEHICLE REPLACEMENT

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
09-20-18 (Unique ID: 612)

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.
-

COMMENTS: None.

DSK/ejh

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, Assistant Commissioner
William Brady, Chief Planner
Edward Hoffmeister, Secretary to the Capital Projects Committee
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT OF MOTOR POOL VEHICLES FOR THE CORRECTIONS DEPARTMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$200,000 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, \$200,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the replacement of motor pool vehicles with excessive mileage, rust and rot for the Corrections Department, 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 \$200,000. The plan of financing includes the issuance of \$200,000 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. 77(1st) of the Law, is three (3) 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 \$200,000. 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 \$200,000 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 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 immediately upon approval by the County Executive.

* * *

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

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

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

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 20____ and approved by the County Executive on _____, 20____ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT OF MOTOR POOL VEHICLES FOR THE CORRECTIONS DEPARTMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$200,000 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 replacement of motor pool vehicles with excessive mileage, rust and rot for the Corrections Department, 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: \$200,000; three (3) years

Dated: _____, 20____
White Plains, New York

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

RECEIVED
COUNTY CLERK
WESTCHESTER COUNTY
NEW YORK
MAY 10 2006

CAPITAL PROJECT FACT SHEET

Project ID:*
BCR51

CBA

Fact Sheet Date:*
05-14-2018

Fact Sheet Year:*
2018

Project Title:*
FLEET VEHICLE REPLACEMENT

Legislative District ID:
3,

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
CORRECTION

CP Unique ID:
612

Overall Project Description

This project provides funding for the replacement of aging motor pool vehicles.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2018	2019	2020	2021	2022	Under Review
Gross	800	600	200	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	800	600	200	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 506

Current Bond Description: Funding is requested for the replacement of aging Department of Correction vehicles with excessive mileage, rust and rot.

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:

Appropriation History:

Year	Amount	Description
2015	200,000	REPLACEMENT OF MOTOR POOL VEHICLES
2016	200,000	CONTINUED REPLACEMENT OF VEHICLES
2017	200,000	CONTINUED REPLACEMENT OF VEHICLES
2018	200,000	CONTINUED REPLACEMENT OF VEHICLES

Total Appropriation History:
800,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
15	90	200,000	198,170	FLEET VEHICLE REPLACEMENT
16	297	200,000	0	FLEET VEHICLE REPLACEMENT
17	133	200,000	0	COST OF REPLACEMENT OF MOTOR POOL VEHICLES FOR CORRECTIONS DEPARTMENT

Total Financing History:

600,000

Recommended By:

Department of Planning
WBB4

Date
09-20-2018

Department of Public Works
RJB4

Date
09-20-2018

Budget Department
LMY1

Date
09-21-2018

Requesting Department
WPF4

Date
09-21-2018

FLEET VEHICLE REPLACEMENT (BCR51)

User Department : Correction

Managing Department(s) : Correction ;

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	2018	2019	2020	2021	2022
Gross	1,000	600	506	200	200			
Non County Share								
Total	1,000	600	506	200	200			Under Review

Project Description

This project provides funding for the replacement of aging motor pool vehicles.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2018	200,000			200,000

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
2015	200,000	Replacement of motor pool vehicles	COMPLETE
2016	200,000	Continued replacement of vehicles	IN PROGRESS
2017	200,000	Continued replacement of vehicles	IN PROGRESS
Total	600,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	600,000	198,170	401,830
Total	600,000	198,170	401,830

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
90 15	200,000	12/15/16	198,170	1,830
297 16	200,000			200,000
133 17	200,000			200,000
Total	600,000		198,170	401,830