



# Budget & Appropriations Meeting Agenda

Committee Chair: Vedat Gashi

800 Michaelian Office Bldg.  
148 Martine Avenue, 8th Floor  
White Plains, NY 10601  
[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

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**Monday, October 3, 2022**

**10:00 AM**

**Committee Room**

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## CALL TO ORDER

Joint with Public Works & Transportation committee

*Please note: This meeting will be held in person at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 in the McPoland Conference Room # 824 and also remotely via WebEx. Legislators may participate in person or via video conferencing through WebEx. Members of the public are invited to attend the meeting in person at any of its locations or view it online at the Westchester Legislators website: <https://westchestercountyny.legistar.com/Calendar.aspx> this website also has links to the Agenda Packets containing documents to be discussed at the meeting.*

*Chairwoman Catherine Borgia will be participating remotely from Clear View School and Day Treatment Center, 480 Albany Post Road, Briarcliff, NY, 10510*

## MINUTES APPROVAL

### I. ITEMS FOR DISCUSSION

1. [2022-353](#) BOND ACT-A0099-Airport Natural Gas Pipeline

A BOND ACT authorizing the issuance of FIVE HUNDRED FIFTY THOUSAND (\$550,000) DOLLARS in bonds of Westchester County to finance Capital Project A0099 - Airport Natural Gas Pipeline.

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

Joint with Public Works & Transportation committee.

Guests: DPW: Brian Hegt; Avports: April L. Gasparri, Westchester County Airport Manager

2. [2022-501](#) ACT-Agrmnt-PBA-Police Officers, Detectives & Sergeants Unit

AN ACT approving certain financial terms and conditions of employment requiring legislative approval by law in a Collective Bargaining Agreement for those employees of Westchester County represented by the Westchester County Department of Public Safety PBA

(hereinafter "PBA" for the unit consisting of police officers, detectives and sergeants) for the four (4) year period commencing January 1, 2020 and ending December 31, 2023.

Guests: Budget Dept.: Director Larry Soule and Mark Medwid; Vince Toomey, Esq.

3. [2022-502](#) ACT-Agrmnt-PBA, Inc.-Superior Officer's Unit

AN ACT approving certain financial terms and conditions of employment requiring legislative approval by law in a collective bargaining agreement for those employees of Westchester County represented by the Westchester County Department of Public Safety PBA, Inc. ("PBA" for the Superior Officer's Unit ("SOU") consisting of Lieutenants and Captains, some of whom are assigned additional duties for which they are compensated as Inspectors or Chief Inspectors) for a four (4) year period commencing on January 1, 2020 and ending on December 31, 2023.

Guests: Budget Dept.: Director Larry Soule and Mark Medwid; Vince Toomey, Esq.

4. [2022-457](#) COMM-Pay Plan Amendment-Assistant District Attorneys

Forwarding correspondence from Westchester County District Attorney Miriam E. Rocah requesting that a Pay Plan Amendment be enacted reflecting an adjustment to the 2022 Pay Plan for all Assistant District Attorney positions with the exception of the First Deputy District Attorneys.

**COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS**

Guests: Office of the District Attorney: Westchester County District Mimi Rocah; Chief Assistant District Attorney Amy Finzi; Lila Kirton, Executive Assistant District Attorney for Intergovernmental Affairs & Criminal Justice Initiatives; and Charlie Forzano, Chief Administrator

## II. OTHER BUSINESS

## III. RECEIVE & FILE

## ADJOURNMENT

George Latimer  
County Executive

June 17, 2022

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 ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$550,000 to finance the following capital project:

A0099 – Airport Natural Gas Pipeline ("A0099").

The Bond Act, in the amount of \$550,000 would finance the cost of design of the installation of a new gas main extension at the Westchester County Airport, including all associated site work.

The Department of Public Works and Transportation ("Department") has advised that a natural gas pipeline is currently located at the southern boundary of the airport. The establishment of this utility service to various hangars and buildings will provide increased energy efficiency and the elimination of selected underground fuel storage tanks.

Following bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take twenty-four months to complete and will begin after award and execution of the construction contracts.

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

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

Sincerely,



George Latimer  
County Executive

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (“Bond Act”) in the amount of \$550,000 to finance capital project A0099 – Airport Natural Gas Pipeline (“A0099”). The Bond Act, which was prepared by the law firm Hawkins Delafield & Wood, LLP, will finance the cost of design of the installation of a new gas main extension at the Westchester County Airport, including all associated site work

The Department of Public Works and Transportation (“Department”) has advised that a natural gas pipeline is currently located at the southern boundary of the airport. The establishment of this utility service to various hangars and buildings will provide increased energy efficiency and the elimination of selected underground fuel storage tanks.

Following bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take twenty-four months to complete and will begin after award and execution of the construction contracts.

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

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

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

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: A0099

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 \$ 550,000 PPU 5 Anticipated Interest Rate 2.14%

Anticipated Annual Cost (Principal and Interest): \$ 117,055

Total Debt Service (Annual Cost x Term): \$ 585,275

Finance Department: Interest rates from June 1, 2022 Bond Buyer - ASBA

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

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): N/A

Potential Related Revenues (Annual): N/A

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: 6

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: James Antonaccio

Title: Principal Architect

Department: Public Works and Transportation

Date: 6/8/22

Reviewed By: 

Dep. Budget Director

Date: 6/16/22

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

FROM: David S. Kvinge, AICP, RLA, CFM   
Assistant Commissioner

DATE: June 1, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
A0099 AIRPORT NATURAL GAS PIPELINE**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 05-13-2022 (Unique ID: 1903)

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)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.

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**COMMENTS:** The current request is for design only.

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 Marzola, Associate Budget Director  
Gayle Katzman, First Deputy Commissioner, Department of Public Works & Transportation  
Jonna Robins, Program Administrator, Department of Public Works & Transportation  
Kelly Sheehan, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$550,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE INSTALLATION OF A NEW GAS MAIN EXTENSION AT THE WESTCHESTER COUNTY AIRPORT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$550,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$550,000 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, to the provisions of other laws applicable thereto, \$550,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the installation of a new gas main extension at the Westchester County Airport, including all associated site work; 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$550,000. The plan of financing includes the issuance of \$550,000 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 object or purpose for which said \$550,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 62 (2<sup>nd</sup>) 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 \$550,000. 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 \$550,000 as the estimated total cost of the aforesaid object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation

of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

\* \* \*

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

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

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

(SEAL)

The Clerk and Chief Administrative Office 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 amended 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 \$550,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE INSTALLATION OF A NEW GAS MAIN EXTENSION AT THE WESTCHESTER COUNTY AIRPORT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$550,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$550,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (adopted on \_\_\_\_\_, 20\_\_)**

object or purpose: to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the installation of a new gas main extension at the Westchester County Airport, including all associated site work; 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: \$550,000; five (5) years

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

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



## CAPITAL PROJECT FACT SHEET

**Project ID:\***  
A0099

CBA

**Fact Sheet Date:\***  
02-24-2022

**Fact Sheet Year:\***  
2022

**Project Title:\***  
AIRPORT NATURAL GAS PIPELINE

**Legislative District ID:**  
6,

**Category\***  
AIRPORT

**Department:\***  
AIRPORT/DOT

**CP Unique ID:**  
1903

**Overall Project Description**

A natural gas pipeline is currently located at the southern boundary of the airport. The establishment of this utility service to various hangars and buildings will provide increased energy efficiency and the elimination of selected underground fuel storage tanks. In addition, a natural gas fueling station can be provided that would allow for the purchase of natural gas powered vehicles. This overall effort would reduce airport hydrocarbon emissions that could be used as part of an air quality credit program.

Best Management Practices

Energy Efficiencies

Infrastructure

Life Safety

Project Labor Agreement

Revenue

Security

Other

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

	Estimated Ultimate Total Cost	Appropriated	2022	2023	2024	2025	2026	Under Review
<b>Gross</b>	5,600	5,600	0	0	0	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	5,600	5,600	0	0	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 494

**Current Bond Description:** For the design of the installation of the new gas main extension will provide natural gas to the north end of the airport.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	550,000
Cash:	0
<b>Total:</b>	<b>\$ 550,000</b>

**SEQR Classification:**

**Amount Requested:**  
550,000

**Comments:**

**Energy Efficiencies:**

**Appropriation History:**

Year	Amount	Description
2009	1,000,000	FEASIBILITY STUDY AND DESIGN
2013	410,000	DESIGN & CONSTRUCTION OF A GAS PIPELINE
2014	4,190,000	CONSTRUCTION FOR THE PROJECT, NON-COUNTY SHARES WILL NO LONGER BE RECEIVED,

**Total Appropriation History:**  
5,600,000

**Cash History (in thousands):**

<b>Year</b>	<b>Amount</b>	<b>Description</b>
2009	100,000	STUDY & DESIGN
2013	410,000	DESIGN & CONSTRUCTION

**Total Financing History:**

510,000

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
05-13-2022

**Department of Public Works**  
JZR7

**Date**  
05-23-2022

**Budget Department**  
LMY1

**Date**  
05-24-2022

**Requesting Department**  
JZR7

**Date**  
05-31-2022

## AIRPORT NATURAL GAS PIPELINE ( A0099 )

**User Department :** Airport/DOT  
**Managing Department(s) :** Airport/DOT ; Public Works ;  
**Estimated Completion Date:** TBD  
**Planning Board Recommendation:** Project approved in concept but subject to subsequent staff review.

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

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
<b>Gross</b>	5,600	5,600	494						
<b>Non County Share</b>									
<b>Total</b>	5,600	5,600	494						

### **Project Description**

A natural gas pipeline is currently located at the southern boundary of the airport. The establishment of this utility service to various hangars and buildings will provide increased energy efficiency and the elimination of selected underground fuel storage tanks. In addition, a natural gas fueling station can be provided that would allow for the purchase of natural gas powered vehicles. This overall effort would reduce airport hydrocarbon emissions that could be used as part of an air quality credit program.

### **Current Year Description**

There is no current year request.

### **Impact on Operating Budget**

The impact on the Airport Special Revenue Fund is the appropriation of Cash to Capital and the debt service associated with the issuance of bonds.

### **Appropriation History**

Year	Amount	Description	Status
2009	1,000,000	Feasibility study and design	IN PROGRESS
2013	410,000	Design & construction of a gas pipeline	COMPLETE
2014	4,190,000	Construction for the project, Non-county shares will no longer be received,	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>5,600,000</b>		

### **Prior Appropriations**

	Appropriated	Collected	Uncollected
<b>Bond Proceeds</b>	5,090,000		5,090,000
<b>Federal Funds</b>			
<b>Funds Revenue</b>	510,000	510,000	
<b>Total</b>	<b>5,600,000</b>	<b>510,000</b>	<b>5,090,000</b>



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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (“Bond Act”) in the amount of \$550,000 to finance capital project A0099 – Airport Natural Gas Pipeline (“A0099”). The Bond Act, which was prepared by the law firm Hawkins Delafield & Wood, LLP, will finance the cost of design of the installation of a new gas main extension at the Westchester County Airport, including all associated site work

The Department of Public Works and Transportation (“Department”) has advised that a natural gas pipeline is currently located at the southern boundary of the airport. The establishment of this utility service to various hangars and buildings will provide increased energy efficiency and the elimination of selected underground fuel storage tanks.

Following bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take twenty-four months to complete and will begin after award and execution of the construction contracts.

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

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

Dated: October, 2022  
White Plains, New York

Admitted by  
Samuel Zeller Johnson  
Celia O'Neil  
Catherine Parker (WOP)  
Mary Jane Shmish  
Vedat Faki  
Naucy Bann  
J. H.  
J. H.  
D. M.

Budget & Appropriations

Mary Jane Shmish  
Admitted by  
Celia O'Neil  
Catherine Parker (WOP)  
Naucy Bann  
J. H.

Public Works & Transportation

Dated: October 3, 2022  
White Plains, New York

*The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.*

**Budget & Appropriations**

A handwritten signature in black ink, appearing to be "James J. ...", written in a cursive style.

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #:     A0099    

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   \$                   550,000       PPU    5       Anticipated Interest Rate   2.14%

Anticipated Annual Cost (Principal and Interest):                   \$    117,055

Total Debt Service (Annual Cost x Term):                           \$    585,275

Finance Department:       Interest rates from June 1, 2022 Bond Buyer - ASBA

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

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual):                   N/A

Potential Related Revenues (Annual):                   N/A

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:                   6

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by:     James Antonaccio    

Title:     Principal Architect    

Department:     Public Works and Transportation    


Date:     6/8/22    

Reviewed By: 

Dep. Budget Director

Date:     6/16/22

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

FROM: David S. Kvinge, AICP, RLA, CFM   
Assistant Commissioner

DATE: June 1, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
A0099 AIRPORT NATURAL GAS PIPELINE**

---

**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 05-13-2022 (Unique ID: 1903)

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)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.
- 

**COMMENTS:** The current request is for design only.

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 Marzola, Associate Budget Director  
Gayle Katzman, First Deputy Commissioner, Department of Public Works & Transportation  
Jonna Robins, Program Administrator, Department of Public Works & Transportation  
Kelly Sheehan, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20\_\_

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$550,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the installation of a new gas main extension at the Westchester County Airport, including all associated site work; 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$550,000. The plan of financing includes the issuance of \$550,000 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 object or purpose for which said \$550,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 62 (2<sup>nd</sup>) 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 \$550,000. 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 \$550,000 as the estimated total cost of the aforesaid object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation

of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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



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

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

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

\* \* \*

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

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

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

(SEAL)

The Clerk and Chief Administrative Office 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 amended 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 \$550,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE INSTALLATION OF A NEW GAS MAIN EXTENSION AT THE WESTCHESTER COUNTY AIRPORT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$550,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$550,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (adopted on \_\_\_\_\_, 20\_\_)

object or purpose: to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the installation of a new gas main extension at the Westchester County Airport, including all associated site work; 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: \$550,000; five (5) years

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

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



**CAPITAL PROJECT FACT SHEET**

**Project ID:\***  
A0099

CBA

**Fact Sheet Date:\***  
02-24-2022

**Fact Sheet Year:\***  
2022

**Project Title:\***  
AIRPORT NATURAL GAS PIPELINE

**Legislative District ID:**  
6,

**Category\***  
AIRPORT

**Department:\***  
AIRPORT/DOT

**CP Unique ID:**  
1903

**Overall Project Description**

A natural gas pipeline is currently located at the southern boundary of the airport. The establishment of this utility service to various hangars and buildings will provide increased energy efficiency and the elimination of selected underground fuel storage tanks. In addition, a natural gas fueling station can be provided that would allow for the purchase of natural gas powered vehicles. This overall effort would reduce airport hydrocarbon emissions that could be used as part of an air quality credit program.

- |   |  |  |
|---|--|--|
| <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	2022	2023	2024	2025	2026	Under Review
<b>Gross</b>	5,600	5,600	0	0	0	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	5,600	5,600	0	0	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 494

**Current Bond Description:** For the design of the installation of the new gas main extension will provide natural gas to the north end of the airport.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	550,000
Cash:	0
<b>Total:</b>	<b>\$ 550,000</b>

**SEQR Classification:**

**Amount Requested:**  
550,000

**Comments:**

**Energy Efficiencies:**

**Appropriation History:**

Year	Amount	Description
2009	1,000,000	FEASIBILITY STUDY AND DESIGN
2013	410,000	DESIGN & CONSTRUCTION OF A GAS PIPELINE
2014	4,190,000	CONSTRUCTION FOR THE PROJECT, NON-COUNTY SHARES WILL NO LONGER BE RECEIVED,

**Total Appropriation History:**  
5,600,000

**Cash History (in thousands):**

<b>Year</b>	<b>Amount</b>	<b>Description</b>
2009	100,000	STUDY & DESIGN
2013	410,000	DESIGN & CONSTRUCTION

**Total Financing History:**

510,000

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
05-13-2022

**Department of Public Works**  
JZR7

**Date**  
05-23-2022

**Budget Department**  
LMY1

**Date**  
05-24-2022

**Requesting Department**  
JZR7

**Date**  
05-31-2022

## AIRPORT NATURAL GAS PIPELINE ( A0099 )

**User Department :** Airport/DOT  
**Managing Department(s) :** Airport/DOT ; Public Works ;  
**Estimated Completion Date:** TBD  
**Planning Board Recommendation:** Project approved in concept but subject to subsequent staff review.

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

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	5,600	5,600	494						
Non County Share									
<b>Total</b>	<b>5,600</b>	<b>5,600</b>	<b>494</b>						

### **Project Description**

A natural gas pipeline is currently located at the southern boundary of the airport. The establishment of this utility service to various hangars and buildings will provide increased energy efficiency and the elimination of selected underground fuel storage tanks. In addition, a natural gas fueling station can be provided that would allow for the purchase of natural gas powered vehicles. This overall effort would reduce airport hydrocarbon emissions that could be used as part of an air quality credit program.

### **Current Year Description**

There is no current year request.

### **Impact on Operating Budget**

The impact on the Airport Special Revenue Fund is the appropriation of Cash to Capital and the debt service associated with the issuance of bonds.

### **Appropriation History**

Year	Amount	Description	Status
2009	1,000,000	Feasibility study and design	IN PROGRESS
2013	410,000	Design & construction of a gas pipeline	COMPLETE
2014	4,190,000	Construction for the project, Non-county shares will no longer be received,	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>5,600,000</b>		

### **Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	5,090,000		5,090,000
Federal Funds			
Funds Revenue	510,000	510,000	
<b>Total</b>	<b>5,600,000</b>	<b>510,000</b>	<b>5,090,000</b>

George Latimer  
County Executive

September 27, 2022

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

Re: Approval of Agreement between the County of Westchester and Westchester  
County Department of Public Safety PBA (Police Officers, Detectives and  
Sergeants Unit)

Dear Members of the Honorable Board of Legislators:

This is to advise you that the Administration and the Westchester County Department of Public Safety PBA (hereinafter "PBA" for the unit consisting of police officers, detectives and sergeants) have, subject to the approval of your Honorable Board, reached an Agreement on a four (4) year contract commencing on January 1, 2020 and ending on December 31, 2023 ("Agreement"). All provisions of the prior collective bargaining agreements, as continued or changed by Interest Arbitration Awards shall remain in full force and effect, except as agreed to be modified by the provisions contained in the Memorandum of Agreement, for the term commencing on January 1, 2020 and ending on December 31, 2023.

In accordance with the Agreement, I request that this matter be placed on the Board's agenda for approval as soon as possible. Upon approval, all terms and conditions of the Agreement shall become effective as soon as practicable, except those that have a specific implementation date in the Agreement. any and all retroactive money due and owing, if any, shall be paid as soon as practicable to all unit members employed from January 1, 2020 to the date of implementation of this MOA.

In compliance with the Fair Employment Act (Taylor Law), I am outlining those provisions of the Agreement that require legislative action for your consideration and approval.

#### **ARTICLE 1 – AGREEMENT**

1.4 Duration – Amend to read as follows:

This Agreement shall be effective January 1, 2020, and remain in effect through December 31, 2023.

**ARTICLE 5 – COMPENSATION**

**5.2 Pay Calculations – Amend the dates and amounts as follows:**

	<b>(3.0%)</b>	<b>(2.0%)</b>	<b>(2.0%)</b>	<b>(3.0%)</b>
<b><u>Police Officer</u></b>	<b><u>1/1/20</u></b>	<b><u>1/1/21</u></b>	<b><u>1/1/22</u></b>	<b><u>1/1/23</u></b>
Starting	\$64,597	\$65,889	\$67,207	\$69,223
After 1 Year	\$77,973	\$79,532	\$81,123	\$83,557
After 2 Years	\$91,329	\$93,156	\$95,019	\$97,870
After 3 Years	\$104,707	\$106,801	\$108,937	\$112,205
After 4 Years	\$118,056	\$120,417	\$122,825	\$126,510
<b>(N/C)</b>				
<b><u>Detectives</u></b>	<b><u>1/1/20</u></b>	<b><u>1/1/21</u></b>	<b><u>1/1/22</u></b>	<b><u>1/1/23</u></b>
(1) 1 <sup>st</sup> and 2 <sup>nd</sup> Year of such employment	\$126,320	\$128,846	\$131,423	\$135,366
(2) 3 <sup>rd</sup> and 4 <sup>th</sup> Year of Such employment	\$127,205	\$129,749	\$132,344	\$136,315
(3) 5 <sup>th</sup> Year of such employment and Above	\$128,386	\$130,953	\$133,572	\$137,580

- (1) 7.0% differential above After 4 Year Police Officer.
- (2) 7.75% differential above After 4 Year Police Officer.)
- (3) 8.75% differential above After 4 Year Police Officer.

<b><u>Sergeants</u></b>	<b><u>1/1/20</u></b>	<b><u>1/1/21</u></b>	<b><u>1/1/22</u></b>	<b><u>1/1/23</u></b>
	\$138,657	\$141,429	\$144,258	\$148,586

- (1) 8.0% differential above a 5<sup>th</sup> Year Detective.

**5.3 Longevity Schedule – Amend the dates and amounts as follows:**

<b><u>Years of Service</u></b>	<b><u>1/1/20</u></b>	<b><u>1/1/21</u></b>	<b><u>1/1/22</u></b>	<b><u>1/1/23</u></b>
After 5 Years	\$3,225.00	\$3,225.00	\$3,225.00	\$3,225.00
After 10 Years	\$3,425.00	\$3,425.00	\$3,425.00	\$3,425.00
After 15 Years	\$3,625.00	\$3,625.00	\$3,625.00	\$3,625.00
After 20 Years	\$3,825.00	\$3,825.00	\$3,825.00	\$3,825.00



**5.4 Holidays**

Effective **June 19, 2022**, and each January 1<sup>st</sup> thereafter, Juneteenth shall be a credited holiday to all employees as a non-accruable “chart day” to be used within the calendar year.

**ARTICLE 6 – DIFFERENTIALS AND ALLOWANCES**

**6.2 Shift Differential** – Amend the dates and amounts as follows:

(N/C)	(N/C)	(N/C)	(+\$.50/day)
<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
+\$27.50	+\$27.50	+\$27.50	+\$28.00

**6.3 Clothing Allowance** – Amend the dates and amounts as follows:

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
+\$1,475.00	+\$1,475.00	+\$1,475.00	+\$1,475.00

**6.5 Meal Allowance** – Amend the dates and amounts as follows:

		<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
Without Receipt (Allowance)	Break	\$3.00	\$3.00	\$3.00	\$3.00
	Lunch	\$5.00	\$5.00	\$5.00	\$5.00
	Dinner	\$7.00	\$7.00	\$7.00	\$7.00
With Receipt (Reimbursement)	Break	\$4.00	\$4.00	\$4.00	\$4.00
	Lunch	\$6.00	\$6.00	\$6.00	\$6.00
	Dinner	\$9.00	\$9.00	\$9.00	\$9.00
With Receipt (Out of County)	Break	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00
	Lunch	\$ 7.00	\$ 7.00	\$ 7.00	\$ 7.00
	Dinner	\$18.00	\$18.00	\$18.00	\$18.00

**6.6 Stand-By Allowance** – Amend dates and amounts as follows:

a. Refers to the County Executive’s Security Detail.

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$1,100.00	\$1,100.00	\$1,100.00	\$1,100.00

b. Refers to Hazardous Devices.

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$4,300.00	\$4,300.00	\$4,300.00	\$4,300.00

6.7 **Remuneration for Special Assignments**

a. Amend dates and amounts to read as follows:

	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
Aviation	\$4,150.00	\$4,150.00	\$4,150.00	\$4,150.00
K-9	\$4,250.00	\$4,250.00	\$4,250.00	\$4,250.00

**ARTICLE 8 – EMPLOYEE BENEFITS**

1.2 **Welfare Fund** – Amend the dates and amounts as follows:

a.

	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
	\$2,450.00/yr.	\$2,450.00/yr.	\$2,500.00/yr.	\$2,550.00/yr.

**ARTICLE 9 – MISCELLANEOUS**

9.4 **Voluntary Overtime Rate** – Amend the dates and amounts as follows:


	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>7/1/22</u>	<u>1/1/23</u>
) Police Officers and Detectives	\$53.00/hr.	\$53.00/hr.	\$53.00/hr.	\$63.10/hr.*	\$64.99/hr.
Sergeants	\$58.00/hr.	\$58.00/hr.	\$58.00/hr.	\$74.11/hr.**	\$76.33/hr.

\* The voluntary overtime rate for Police Officers and Detectives is calculated by dividing the police officer after 4 years pay calculation by 243.3 and then by 8.

\*\* The voluntary overtime rate for Sergeants is calculated by dividing the Sergeant's after 4 years pay calculation by 243.3 and then by 8.

I recommend approval of the Agreement reached between the Administration and Westchester County Department of Public Safety PBA for the period commencing on January 1, 2020 and ending on December 31, 2023.

Respectfully submitted,

  
George Latimer  
County Executive

GM/fs  
encls.

HONORABLE BOARD OF LEGISLATORS  
WESTCHESTER COUNTY

Your Committee is in receipt of a communication from the County Executive pertaining to approval of the Agreement between the County of Westchester and the Westchester County Department of Public Safety PBA (hereinafter “PBA” for the unit consisting of police officers, detectives and sergeants) for the four (4) year period commencing on January 1, 2020 and ending on December 31, 2023 ( “Agreement”). All provisions of the prior collective bargaining agreement, as continued or changed by the Interest Arbitration Awards shall remain in full force and effect, except as agreed to be modified by the provisions contained in the Memorandum of Agreement, for the term commencing on January 1, 2020 and ending on December 31, 2023.

The following is an outline of the provisions of the Agreement, including those that require legislative action in compliance with the Fair Employment Act (Taylor Law):

**ARTICLE 5 – COMPENSATION**

**5.2 Pay Calculations – Amend the dates and amounts as follows:**

	(3.0%) <u>1/1/20</u>	(2.0%) <u>1/1/21</u>	(2.0%) <u>1/1/22</u>	(3.0%) <u>1/1/23</u>
<u>Police Officer</u>				
Starting	\$64,597	\$65,889	\$67,207	\$69,223
After 1 Year	\$77,973	\$79,532	\$81,123	\$83,557
After 2 Years	\$91,329	\$93,156	\$95,019	\$97,870
After 3 Years	\$104,707	\$106,801	\$108,937	\$112,205
After 4 Years	\$118,056	\$120,417	\$122,825	\$126,510

<u>Detectives</u>	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
(1) 1 <sup>st</sup> and 2 <sup>nd</sup> Year of such employment	\$126,320	\$128,846	\$131,423	\$135,366
(2) 3 <sup>rd</sup> and 4 <sup>th</sup> Year of such employment	\$127,205	\$129,749	\$132,344	\$136,315
(3) 5 <sup>th</sup> Year of such employment and Above	\$128,386	\$130,953	\$133,572	\$137,580

- (1) 7.0% differential above After 4 Year Police Officer.
- (2) 7.75% differential above After 4 Year Police Officer.)
- (3) 8.75% differential above After 4 Year Police Officer.

<u>Sergeants</u>	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
	\$138,657	\$141,429	\$144,258	\$148,586

- (2) 8.0% differential above a 5<sup>th</sup> Year Detective.

5.3 Longevity Schedule – Amend the dates and amounts as follows:

<u>Years of Service</u>	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
After 5 Years	\$3,225.00	\$3,225.00	\$3,225.00	\$3,225.00
After 10 Years	\$3,425.00	\$3,425.00	\$3,425.00	\$3,425.00
After 15 Years	\$3,625.00	\$3,625.00	\$3,625.00	\$3,625.00
After 20 Years	\$3,825.00	\$3,825.00	\$3,825.00	\$3,825.00

5.4 Holidays

Effective June 19, 2022, and each January 1<sup>st</sup> thereafter, Juneteenth shall be a credited holiday to all employees as a non-accruable “chart day” to be used within the calendar year.

ARTICLE 6 – DIFFERENTIALS AND ALLOWANCES

6.2 Shift Differential – Amend the dates and amounts as follows:

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
+\$27.50	+\$27.50	+\$27.50	+\$28.00

6.3 Clothing Allowance – Amend the dates and amounts as follows:

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
+\$1,475.00	+\$1,475.00	+\$1,475.00	+\$1,475.00

6.5 Meal Allowance – Amend the dates and amounts as follows:

		<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
Without Receipt (Allowance)	Break	\$3.00	\$3.00	\$3.00	\$3.00
	Lunch	\$5.00	\$5.00	\$5.00	\$5.00
	Dinner	\$7.00	\$7.00	\$7.00	\$7.00
With Receipt (Reimbursement)	Break	\$4.00	\$4.00	\$4.00	\$4.00
	Lunch	\$6.00	\$6.00	\$6.00	\$6.00
	Dinner	\$9.00	\$9.00	\$9.00	\$9.00
With Receipt (Out of County)	Break	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00
	Lunch	\$ 7.00	\$ 7.00	\$ 7.00	\$ 7.00
	Dinner	\$18.00	\$18.00	\$18.00	\$18.00

6.6 Stand-By Allowance – Amend dates and amounts as follows:

c. Refers to the County Executive’s Security Detail.

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$1,100.00	\$1,100.00	\$1,100.00	\$1,100.00

d. Refers to Hazardous Devices.

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$4,300.00	\$4,300.00	\$4,300.00	\$4,300.00

6.7 Remuneration for Special Assignments

b. Amend dates and amounts to read as follows:

	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
Aviation	\$4,150.00	\$4,150.00	\$4,150.00	\$4,150.00
K-9	\$4,250.00	\$4,250.00	\$4,250.00	\$4,250.00

ARTICLE 8 – EMPLOYEE BENEFITS

1.3 Welfare Fund – Amend the dates and amounts as follows:

b.

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$2,450.00/yr.	\$2,450.00/yr.	\$2,500.00/yr.	\$2,550.00/yr.

ARTICLE 9 – MISCELLANEOUS

9.4 Voluntary Overtime Rate – Amend the dates and amounts as follows:

)	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>7/1/22</u>	<u>1/1/23</u>
Police Officers and Detectives	\$53.00/hr.	\$53.00/hr.	\$53.00/hr.	\$63.10/hr.*	\$64.99/hr.
Sergeants	\$58.00/hr.	\$58.00/hr.	\$58.00/hr.	\$74.11/hr.**	\$76.33/hr.

\* The voluntary overtime rate for Police Officers and Detectives is calculated by dividing the police officer after 4 years pay calculation by 243.3 and then by 8.

\*\* The voluntary overtime rate for Sergeants is calculated by dividing the Sergeant's after 4 years pay calculation by 243.3 and then by 8.

Your Committee has carefully considered the subject matter, the Agreement, and the attached act and recommends approval of the Agreement. An affirmative vote of a majority of the Board is required to pass this legislation.

Dated: White Plains, New York  
October \_\_, 2022

COMMITTEE ON

# FISCAL IMPACT STATEMENT

SUBJECT: PBA Contract 2020-2023  NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

GENERAL FUND  AIRPORT FUND  SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 8,620,000

Total Current Year Revenue \$ 1,013,000

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

Additional Appropriations  Other (explain)

Identify Accounts: Various Personal Services Accounts

Potential Related Operating Budget Expenses: Annual Amount \_\_\_\_\_

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

Potential Related Operating Budget Revenues: Annual Amount \_\_\_\_\_

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

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

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

Next Four Years: 2023 - Expense of \$5,942,000 and Revenue of \$694,000

Prepared by: Mark Medwid

Title: Associate Budget Director

Department: Budget

Date: September 21, 2022

Reviewed By: 

Budget Director

Date: 9/21/22

ACT NO. \_\_\_\_\_ 2022

AN ACT approving certain financial terms and conditions of employment requiring legislative approval by law in a Collective Bargaining Agreement for those employees of Westchester County represented by the Westchester County Department of Public Safety PBA (hereinafter “PBA” for the unit consisting of police officers, detectives and sergeants) for the four (4) year period commencing January 1, 2020 and ending December 31, 2023.

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

**Section 1.** All provisions of the prior collective bargaining agreement, as continued or changed by Interest Arbitration Awards shall remain in full force and effect, except as agreed to be modified by the provisions contained in the Memorandum of Agreement, for the term commencing on January 1, 2020 and ending on December 31, 2023.

**Section 2.** Compensation. Article 5 “Compensation” shall be modified as follows:

*5.2 Pay Calculations*

ARTICLE 5 – COMPENSATION

5.2 Pay Calculations – Amend the dates and amounts as follows:

	(3.0%) <u>1/1/20</u>	(2.0%) <u>1/1/21</u>	(2.0%) <u>1/1/22</u>	(3.0%) <u>1/1/23</u>
<u>Police Officer</u>				
Starting	\$64,597	\$65,889	\$67,207	\$69,223
After 1 Year	\$77,973	\$79,532	\$81,123	\$83,557
After 2 Years	\$91,329	\$93,156	\$95,019	\$97,870
After 3 Years	\$104,707	\$106,801	\$108,937	\$112,205
After 4 Years	\$118,056	\$120,417	\$122,825	\$126,510



<u>Detectives</u>	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
(3) 1 <sup>st</sup> and 2 <sup>nd</sup> Year of such employment	\$126,320	\$128,846	\$131,423	\$135,366
(2) 3 <sup>rd</sup> and 4 <sup>th</sup> Year of such employment	\$127,205	\$129,749	\$132,344	\$136,315
(3) 5 <sup>th</sup> Year of such employment and Above	\$128,386	\$130,953	\$133,572	\$137,580

- (1) 7.0% differential above After 4 Year Police Officer.
- (2) 7.75% differential above After 4 Year Police Officer.)
- (3) 8.75% differential above After 4 Year Police Officer.

<u>Sergeants</u>	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
	\$138,657	\$141,429	\$144,258	\$148,586

- (4) 8.0% differential above a 5<sup>th</sup> Year Detective.

5.3 Longevity Schedule – Amend the dates and amounts as follows:

<u>Years of Service</u>	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
After 5 Years	\$3,225.00	\$3,225.00	\$3,225.00	\$3,225.00
After 10 Years	\$3,425.00	\$3,425.00	\$3,425.00	\$3,425.00
After 15 Years	\$3,625.00	\$3,625.00	\$3,625.00	\$3,625.00
After 20 Years	\$3,825.00	\$3,825.00	\$3,825.00	\$3,825.00

5.4 Holidays

Effective June 19, 2022, and each January 1<sup>st</sup> thereafter, Juneteenth shall be a credited holiday to all employees as a non-accruable “chart day” to be used within the calendar year.

**Section 3. Differentials and Allowances. Article 6 “Differentials and Allowances”**

shall be modified as follows:

6.2 Shift Differential – Amend the dates and amounts as follows:

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
+\$27.50	+\$27.50	+\$27.50	+\$28.00

6.3 Clothing Allowance – Amend the dates and amounts as follows:

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
+\$1,475.00	+\$1,475.00	+\$1,475.00	+\$1,475.00

6.5 Meal Allowance – Amend the dates and amounts as follows:

		<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
Without Receipt (Allowance)	Break	\$3.00	\$3.00	\$3.00	\$3.00
	Lunch	\$5.00	\$5.00	\$5.00	\$5.00
	Dinner	\$7.00	\$7.00	\$7.00	\$7.00
With Receipt (Reimbursement)	Break	\$4.00	\$4.00	\$4.00	\$4.00
	Lunch	\$6.00	\$6.00	\$6.00	\$6.00
	Dinner	\$9.00	\$9.00	\$9.00	\$9.00
With Receipt (Out of County)	Break	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00
	Lunch	\$ 7.00	\$ 7.00	\$ 7.00	\$ 7.00
	Dinner	\$18.00	\$18.00	\$18.00	\$18.00

6.6 Stand-By Allowance – Amend dates and amounts as follows:

e. Refers to the County Executive’s Security Detail.

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$1,100.00	\$1,100.00	\$1,100.00	\$1,100.00

f. Refers to Hazardous Devices.

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$4,300.00	\$4,300.00	\$4,300.00	\$4,300.00

6.7 Remuneration for Special Assignments

c. Amend dates and amounts to read as follows:

	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
Aviation	\$4,150.00	\$4,150.00	\$4,150.00	\$4,150.00
K-9	\$4,250.00	\$4,250.00	\$4,250.00	\$4,250.00

**Section 4.** Employee Benefits. Article 8 “Employee Benefits” shall be modified as follows:

**1.4** Welfare Fund – Amend the dates and amounts as follows:

c.

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$2,450.00/yr.	\$2,450.00/yr.	\$2,500.00/yr.	\$2,550.00/yr.

**Section 5.** Miscellaneous. Article 9 “Miscellaneous” shall be amended as follows:

**9.4** Voluntary Overtime Rate – Amend the dates and amounts as follows:

)	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>7/1/22</u>	<u>1/1/23</u>
Police Officers and Detectives	\$53.00/hr.	\$53.00/hr.	\$53.00/hr.	\$63.10/hr.*	\$64.99/hr.
Sergeants	\$58.00/hr.	\$58.00/hr.	\$58.00/hr.	\$74.11/hr.**	\$76.33/hr.

\* The voluntary overtime rate for Police Officers and Detectives is calculated by dividing the police officer after 4 years pay calculation by 243.3 and then by 8.

\*\* The voluntary overtime rate for Sergeants is calculated by dividing the Sergeant’s after 4 years pay calculation by 243.3 and then by 8.

**Section 6.** All terms and conditions of the Agreement shall become effective as soon as practicable except those that have a specific implementation date in the Agreement.

**Section 7.** This Act shall take effect immediately.

George Latimer  
County Executive

September 27, 2022

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

Re: Approval of Agreement between the County of Westchester and the Westchester County Department of Public Safety PBA, Inc. for the Superior Officer's Unit

Dear Members of the Honorable Board of Legislators:

This is to advise you that the Administration and Westchester County Department of Public Safety PBA, Inc. ("PBA") for the Superior Officer's Unit ("SOU") consisting of Lieutenants and Captains, some of whom are assigned additional duties for which they are compensated as Inspectors or Chief Inspectors) have, subject to the approval of your Honorable Board, reached an agreement on a four (4) year contract commencing on January 1, 2020 and ending on December 31, 2023 ("Agreement"). Any and all retroactive money due and owing, if any, shall be paid as soon as practicable to all unit members employed from January 1, 2020 to the date of implementation of this MOA All provisions of the prior collective bargaining agreements, as continued or changed by Interest Arbitration Awards, shall remain in full force and effect, except as agreed to be modified by the provisions contained in the Agreement.

In accordance with the Agreement, I request that this matter be placed on the Board's agenda for approval as soon as possible. Upon approval, all terms and conditions of the Agreement shall become effective as soon as practicable, except those that have a specific implementation date in the Agreement.

The provisions of the Agreement that require your consideration and approval in compliance with the Public Employees' Fair Employment Act ("Taylor Law"), are outlined below:

***Duration:***

This Agreement shall be effective January 1, 2020 through December 31, 2023.

**Compensation.** Article 5 “Compensation” shall be modified as follows:

**5.2 Pay Calculations:**

	<i>1/1/20</i>	<i>1/1/21</i>	<i>1/1/22</i>
Lieutenant(s)	\$162,229	\$165,472	\$168,782
Captain(s)	\$189,808	\$193,602	\$197,475
Inspector(s)	\$197,808	\$201,602	\$205,475
Chief Inspector(s)	\$205,808	\$209,602	\$213,475

- (1) Lieutenant(s) receive a 17.0% differential above the Sergeant’s Base Wage.
- (2) Captain(s) receive a 17.0% differential above the Lieutenant’s Base Wage.
- (3) Inspector(s) receive +\$8,000.00 above the Captain’s Base Wage.
- (4) Chief Inspector(s) receive +\$8,000.00 above the Inspector’s Base Wage.

	<i>7/1/22</i>	<i>1/1/23</i>
Lieutenant(s)	\$168,782	\$173,846
Captain(s)	\$197,475	\$203,400
Inspector(s)	\$214,260	\$220,689
Chief Inspector(s)	\$231,046	\$267,978

- Lieutenant(s) receive a 17.0% differential above the Sergeant’s Base Wage.  
 Captain(s) receive a 17.0% differential above the Lieutenant’s Base Wage.  
 Inspector(s) receive a +\$16,785 differential above the Captain’s Base Wage as of July 1, 2022.  
 Inspector(s) receive a +\$17,289 differential above the Captain’s Base Wage as of January 1, 2023.  
 Chief Inspector(s) receive a +\$33,571 differential above the Captain’s Base Wage as of July 1, 2022.  
 Chief Inspector(s) receive a +\$34,578 differential above the Captain’s Base Wage as of January 1, 2023.

**5.3 Longevity Schedule:**

The Longevity Schedule shall be amended to read as follows:

<b>Years of Service</b>	<b>1/1/20</b>	<b>1/1/21</b>	<b>1/1/22</b>	<b>1/1/23</b>
After 5 Years	\$3,225.00	\$3,225.00	\$3,225.00	\$3,225.00
After 10 Years	\$3,425.00	\$3,425.00	\$3,425.00	\$3,425.00
After 15 Years	\$3,625.00	\$3,625.00	\$3,625.00	\$3,625.00
After 20 Years	\$3,825.00	\$3,825.00	\$3,825.00	\$3,825.00

**5.4 Holidays**

Effective June 19, 2022, and each January 1<sup>st</sup> thereafter, Juneteenth shall be a credited holiday to all employees as a non-accruable “chart day” to be used within the calendar year.

**6. Differentials and Allowances.** Article 6 “Differentials and Allowances” shall be modified as follows:

**6.2 Shift Differential** – Amend the dates and amounts as follows:

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
+\$27.50	+\$27.50	+\$27.50	+\$28.00

**6.3 Clothing Allowance** – Amend the dates and amounts as follows:

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
+\$1,475.00	+\$1,475.00	+\$1,475.00	+\$1,475.00

**6.5 Meal Allowance** – Amend the dates and amounts as follows:

		<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
Without Receipt (Allowance)	Break	\$3.00	\$3.00	\$3.00	\$3.00
	Lunch	\$5.00	\$5.00	\$5.00	\$5.00
	Dinner	\$7.00	\$7.00	\$7.00	\$7.00
With Receipt (Reimbursement)	Break	\$4.00	\$4.00	\$4.00	\$4.00
	Lunch	\$6.00	\$6.00	\$6.00	\$6.00
	Dinner	\$9.00	\$9.00	\$9.00	\$9.00
With Receipt (Out of County)	Break	\$5.00	\$ 5.00	\$ 5.00	\$ 5.00
	Lunch	\$7.00	\$ 7.00	\$ 7.00	\$ 7.00
	Dinner	\$18.00	\$18.00	\$18.00	\$18.00

**6.6 Stand-By Allowance – Amend dates and amounts as follows:**

a. Refers to the County Executive’s Security Detail.

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$1,100.00	\$1,100.00	\$1,100.00	\$1,100.00

b. Refers to Hazardous Devices.

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$4,300.00	\$4,300.00	\$4,300.00	\$4,300.00

**6.7 *Remuneration for Special Assignments***

a. Amend dates and amounts to read as follows:

	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
Aviation	\$4,150.00	\$4,150.00	\$4,150.00	\$4,150.00
K-9	\$4,250.00	\$4,250.00	\$4,250.00	\$4,250.00

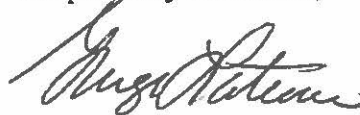
***Employee Benefits.*** Article 8 “Employee Benefits” shall be modified as follows:

**8.2 *Welfare Fund* – Amend the dates and amounts as follows:**

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$2,450.00/yr.	\$2,450.00/yr.	\$2,500/yr.	\$2,550/yr.

I recommend approval of the Agreement reached between the Administration and Westchester County Department of Public Safety PBA for the period commencing on January 1, 2020 and ending on December 31, 2023.

Respectfully submitted,



George Latimer  
County Executive

GM/fs  
encls.

HONORABLE BOARD OF LEGISLATORS  
WESTCHESTER COUNTY

Your Committee is in receipt of a communication from the County Executive pertaining to approval of the Agreement between the County of Westchester and Westchester County Department of Public Safety PBA, Inc. (“PBA”) for the Superior Officer’s Unit (“SOU”) consisting of Lieutenants and Captains, some of whom are assigned additional duties for which they are compensated as Inspectors or Chief Inspectors) for a four (4) year period commencing on January 1, 2020 and ending on December 31, 2023 (“Agreement”). Any and all retroactive money due and owing, if any, shall be paid as soon as practicable to all unit members employed from **January 1, 2020** to the date of implementation of this MOA. All provisions of the prior collective bargaining agreements, as continued or changed by Interest Arbitration Awards shall remain in full force and effect, except as agreed to be modified by the provisions contained in the Agreement.

The following is an outline of the provisions of the Agreement, including those that require legislative action in compliance with the Fair Employment Act (Taylor Law):

***Duration:***

This Agreement shall be effective January 1, 2020 through December 31, 2023.

***Compensation.*** Article 5 “Compensation” shall be modified as follows:

***5.2 Pay Calculations:***

	<i>1/1/20</i>	<i>1/1/21</i>	<i>1/1/22</i>
Lieutenant(s)	\$162,229	\$165,472	\$168,782
Captain(s)	\$189,808	\$193,602	\$197,475
Inspector(s)	\$197,808	\$201,602	\$205,475
Chief Inspector(s)	\$205,808	\$209,602	\$213,475



- (5) Lieutenant(s) receive a 17.0% differential above the Sergeant's Base Wage.
- (6) Captain(s) receive a 17.0% differential above the Lieutenant's Base Wage.
- (7) Inspector(s) receive +\$8,000.00 above the Captain's Base Wage.
- (8) Chief Inspector(s) receive +\$8,000.00 above the Inspector's Base Wage.

	7/1/22	1/1/23
Lieutenant(s)	\$168,782	\$173,846
Captain(s)	\$197,475	\$203,400
Inspector(s)	\$214,260	\$220,689
Chief Inspector(s)	\$231,046	\$267,978

Lieutenant(s) receive a 17.0% differential above the Sergeant's Base Wage.  
 Captain(s) receive a 17.0% differential above the Lieutenant's Base Wage.  
 Inspector(s) receive a +\$16,785 differential above the Captain's Base Wage as of July 1, 2022.  
 Inspector(s) receive a +\$17,289 differential above the Captain's Base Wage as of January 1, 2023.  
 Chief Inspector(s) receive a +\$33,571 differential above the Captain's Base Wage as of July 1, 2022.  
 Chief Inspector(s) receive a +\$34,578 differential above the Captain's Base Wage as of January 1, 2023.

**5.3 Longevity Schedule:**

The Longevity Schedule shall be amended to read as follows:

<u>Years of Service</u>	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
After 5 Years	\$3,225.00	\$3,225.00	\$3,225.00	\$3,225.00
After 10 Years	\$3,425.00	\$3,425.00	\$3,425.00	\$3,425.00
After 15 Years	\$3,625.00	\$3,625.00	\$3,625.00	\$3,625.00
After 20 Years	\$3,825.00	\$3,825.00	\$3,825.00	\$3,825.00

**5.4 Holidays**

New g – Effective June 19, 2022, and each January 1<sup>st</sup> thereafter, Juneteenth shall be a credited holiday to all employees as a non-accruable “chart day” to be used within the calendar year.

**6 Differentials and Allowances.** Article 6 “Differentials and Allowances” shall be modified as follows:

**6.2 Shift Differential** – Amend the dates and amounts as follows:

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
+\$27.50	+\$27.50	+\$27.50	+\$28.00

**6.3 Clothing Allowance** – Amend the dates and amounts as follows:

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
+\$1,475.00	+\$1,475.00	+\$1,475.00	+\$1,475.00

**6.5 Meal Allowance** – Amend the dates and amounts as follows:

		<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
Without Receipt (Allowance)	Break	\$3.00	\$3.00	\$3.00	\$3.00
	Lunch	\$5.00	\$5.00	\$5.00	\$5.00
	Dinner	\$7.00	\$7.00	\$7.00	\$7.00
With Receipt (Reimbursement)	Break	\$4.00	\$4.00	\$4.00	\$4.00
	Lunch	\$6.00	\$6.00	\$6.00	\$6.00
	Dinner	\$9.00	\$9.00	\$9.00	\$9.00
With Receipt (Out of County)	Break	\$5.00	\$ 5.00	\$ 5.00	\$ 5.00
	Lunch	\$7.00	\$ 7.00	\$ 7.00	\$ 7.00
	Dinner	\$18.00	\$18.00	\$18.00	\$18.00

**6.6 Stand-By Allowance** – Amend dates and amounts as follows:

- a. Refers to the County Executive’s Security Detail.

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$1,100.00	\$1,100.00	\$1,100.00	\$1,100.00

- b. Refers to Hazardous Devices.

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$4,300.00	\$4,300.00	\$4,300.00	\$4,300.00

**6.7 Remuneration for Special Assignments**

a. Amend dates and amounts to read as follows:

	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
Aviation	\$4,150.00	\$4,150.00	\$4,150.00	\$4,150.00
K-9	\$4,250.00	\$4,250.00	\$4,250.00	\$4,250.00

**Employee Benefits.** Article 8 “Employee Benefits” shall be modified as follows:

**8.2 Welfare Fund** – Amend the dates and amounts as follows:

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$2,450.00/yr.	\$2,450.00/yr.	\$2,500/yr.	\$2,550/yr.

Your Committee has carefully considered the subject matter, the Agreement, and the attached act and recommends approval of the Agreement. An affirmative vote of a majority of the Board is required to pass this legislation.

Dated: White Plains, New York  
October \_\_, 2022

COMMITTEE ON

# FISCAL IMPACT STATEMENT

SUBJECT: SPBA Contract 2020-2023  NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

GENERAL FUND  AIRPORT FUND  SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 1,285,000

Total Current Year Revenue \$ 2,000

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

Additional Appropriations  Other (explain)

Identify Accounts: Various Personal Services Accounts

Potential Related Operating Budget Expenses: Annual Amount \_\_\_\_\_

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

Potential Related Operating Budget Revenues: Annual Amount \_\_\_\_\_

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

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

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

Next Four Years: 2023 - Expense of \$881,000 and Revenue of \$1,000

Prepared by: Mark Medwid

Title: Associate Budget Director

Department: Budget

Date: September 21, 2022

Reviewed By: 

Budget Director

Date: 9/21/22

ACT NO. \_\_\_\_\_ 2022

AN ACT approving certain financial terms and conditions of employment requiring legislative approval by law in a collective bargaining agreement for those employees of Westchester County represented by the Westchester County Department of Public Safety PBA, Inc. ("PBA" for the Superior Officer's Unit ("SOU") consisting of Lieutenants and Captains, some of whom are assigned additional duties for which they are compensated as Inspectors or Chief Inspectors) for a four (4) year period commencing on January 1, 2020 and ending on December 31, 2023.

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

**Section 1.** All provisions of the prior collective bargaining agreement, as continued or changed by Interest Arbitration Awards shall remain in full force and effect, except as agreed to be modified by the provisions contained in the Memorandum of Agreement.

**Section 2.** Pay Calculations. The pay calculation schedules shall be amended to read as follows:

	1/1/20	1/1/21	1/1/22
Lieutenant(s)	\$162,229	\$165,472	\$168,782
Captain(s)	\$189,808	\$193,602	\$197,475
Inspector(s)	\$197,808	\$201,602	\$205,475
Chief Inspector(s)	\$205,808	\$209,602	\$213,475

	1/1/20	1/1/21	1/1/22
Lieutenant(s)	\$162,229	\$165,472	\$168,782
Captain(s)	\$189,808	\$193,602	\$197,475

Inspector(s)	\$197,808	\$201,602	\$205,475
Chief Inspector(s)	\$205,808	\$209,602	\$213,475

Lieutenant(s) receive a 17.0% differential above the Sergeant's Base Wage.  
 Captain(s) receive a 17.0% differential above the Lieutenant's Base Wage.  
 Inspector(s) receive +\$8,000.00 above the Captain's Base Wage.  
 Chief Inspector(s) receive +\$8,000.00 above the Inspector's Base Wage.

	7/1/22	1/1/23
Lieutenant(s)	\$168,782	\$173,846
Captain(s)	\$197,475	\$203,400
Inspector(s)	\$214,260	\$220,689
Chief Inspector(s)	\$231,046	\$267,978

Lieutenant(s) receive a 17.0% differential above the Sergeant's Base Wage.  
 Captain(s) receive a 17.0% differential above the Lieutenant's Base Wage.  
 Inspector(s) receive a +\$16,785 differential above the Captain's Base Wage as of July 1, 2022.  
 Inspector(s) receive a +\$17,289 differential above the Captain's Base Wage as of January 1, 2023.  
 Chief Inspector(s) receive a +\$33,571 differential above the Captain's Base Wage as of July 1, 2022.  
 Chief Inspector(s) receive a +\$34,578 differential above the Captain's Base Wage as of January 1, 2023.

Any and all retroactive money due and owing, if any, shall be paid as soon as practicable to all unit members employed from **January 1, 2020** to the date of implementation of this MOA

**Section 3. Longevity Schedule.**

The Longevity Schedule shall be amended to read as follows:

	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
<i>Years of Service</i>	\$3,225.00	\$3,225.00	\$3,225.00	\$3,225.00
After 5 Years				
After 10 Years	\$3,425.00	\$3,425.00	\$3,425.00	\$3,425.00
After 15 Years	\$3,625.00	\$3,625.00	\$3,625.00	\$3,625.00
After 20 Years	\$3,825.00	\$3,825.00	\$3,825.00	\$3,825.00

**Section 4. Holidays**

Effective **June 19, 2022**, and each January 1<sup>st</sup> thereafter, Juneteenth shall be a credited holiday to all employees as a non-accruable "chart day" to be used within the calendar year.

**Section 5. Differentials and Allowances**

Article 6 “Differentials and Allowances” shall be modified as follows:

6.2 Shift Differential – Amend the dates and amounts as follows:

1/1/20	1/1/21	1/1/22	1/1/23
+\$27.50	+\$27.50	+\$27.50	+\$28.00

6.3 Clothing Allowance – Amend the dates and amounts as follows:

1/1/20	1/1/21	1/1/22	1/1/23
+\$1,475.00	+\$1,475.00	+\$1,475.00	+\$1,475.00

6.5 Meal Allowance – Amend the dates and amounts as follows:

		1/1/20	1/1/21	1/1/22	1/1/23
Without Receipt (Allowance)	Break	\$3.00	\$3.00	\$3.00	\$3.00
	Lunch	\$5.00	\$5.00	\$5.00	\$5.00
	Dinner	\$7.00	\$7.00	\$7.00	\$7.00
With Receipt (Reimbursement)	Break	\$4.00	\$4.00	\$4.00	\$4.00
	Lunch	\$6.00	\$6.00	\$6.00	\$6.00
	Dinner	\$9.00	\$9.00	\$9.00	\$9.00
With Receipt (Out of County)	Break	\$5.00	\$ 5.00	\$ 5.00	\$ 5.00
	Lunch	\$7.00	\$ 7.00	\$ 7.00	\$ 7.00
	Dinner	\$18.00	\$18.00	\$18.00	\$18.00

6.6 Stand-By Allowance – Amend dates and amounts as follows:

a. Refers to the County Executive’s Security Detail.

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$1,100.00	\$1,100.00	\$1,100.00	\$1,100.00

b. Refers to Hazardous Devices.

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$4,300.00	\$4,300.00	\$4,300.00	\$4,300.00

6.7 Remuneration for Special Assignments

a. Amend dates and amounts to read as follows:

	<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
Aviation	\$4,150.00	\$4,150.00	\$4,150.00	\$4,150.00
K-9	\$4,250.00	\$4,250.00	\$4,250.00	\$4,250.00

**Section 6.** *Welfare Fund*:. The Welfare Fund shall be amended to read as follows:

<u>1/1/20</u>	<u>1/1/21</u>	<u>1/1/22</u>	<u>1/1/23</u>
\$2,450.00/yr.	\$2,450.00/yr.	\$2,500/yr.	\$2,550/yr.

**Section 7.** Upon approval, all terms and conditions of the Agreement shall become effective as soon as practicable, except those that have a specific implementation date in the Agreement.

**Section 8.** This Act shall take effect immediately.





OFFICE OF THE DISTRICT ATTORNEY  
WESTCHESTER COUNTY

MIRIAM E. ROCAH  
DISTRICT ATTORNEY

WESTCHESTER COUNTY COURTHOUSE  
111 Dr. Martin Luther King, Jr. Blvd.  
White Plains, New York 10601  
(914) 995-4200

August 22, 2022

Honorable Catherine Borgia  
Chairwoman of the Board  
Westchester County Board of Legislators  
148 Martine Avenue - 8<sup>th</sup> floor  
White Plains, NY 10601

Re: Pay Plan Amendment - Assistant District Attorneys

Dear Hon. Borgia:

Please let this letter serve as a formal request that a Pay Plan Amendment be enacted by the Board of Legislators reflecting an adjustment to our 2022 Pay Plan for all Assistant District Attorney positions with the exception of the First Deputy District Attorneys. This Amendment will not result in any additional cost to the county for 2022. The cost will be paid through already achieved savings due to unanticipated vacancies in 2022 at the District Attorney's Office. These vacancies resulted from departures of our experienced ADAs to other offices for greater salaries than they could be paid in Westchester, and our corresponding inability to effectively recruit new and lateral ADAs because our pay scale is not competitive with our surrounding peer offices. The Amendment also reflects proposed salary increases of 3% for 2023 (with a slightly higher percentage for our First Deputy District Attorneys in order to make up the amount that they are foregoing in 2022 in order to give all available funds to our ADAs), and 3% for 2024. This Amendment also eliminates salaries for the Jr. Assistant District Attorney title, which we have determined no longer meets the needs of the office, and attempts to keep us competitive with the surrounding district attorney's offices in Rockland, the Bronx, Manhattan, and Queens. I have attached a copy of the proposed District Attorney Pay scales for 2022, 2023, 2024 reflecting the Amendment for your convenience. I am also attaching an earlier memo written to the County Executive and his team explaining the rationale for our original request for salary increases for 2022. The Pay Plan Amendment we are submitting is a reduction from that original request.

Thank you for your anticipated cooperation in moving this matter forward.

Very truly yours,

MIRIAM E. ROCAH  
DISTRICT ATTORNEY

cc: Melanie Montalto  
Malika Vanderberg

## District Attorney Salary Schedule

Effective January 1, 2022

	Minimum	Maximum
Assistant District Attorney	\$78,500	\$135,000
Senior Assistant District Attorney	\$137,500	\$143,500
Deputy Chief of Bureau- DA	\$144,000	\$157,000
Chief of Bureau	\$167,000	\$177,000
Deputy District Attorney	\$170,000	\$178,200
Second Deputy District Attorney	\$181,500	\$186,900
First Deputy District Attorney	\$184,764	\$193,287

**Above salaries were developed to alleviate turnover and increase recruitment, the 2022 Assistant District Attorney salary line increased will have no 2022 cost to the county.**

## District Attorney Salary Schedule

Effective January 1, 2023

	Minimum	Maximum
Assistant District Attorney	\$80,855	\$139,050
Senior Assistant District Attorney	\$141,625	\$147,805
Deputy Chief of Bureau- DA	\$148,320	\$161,710
Chief of Bureau	\$172,010	\$182,310
Deputy District Attorney	\$175,100	\$183,546
Second Deputy District Attorney	\$186,945	\$192,507
First Deputy District Attorney	\$194,926	\$203,198

Above salaries are computed by taking the 2022 approved Assistant District Attorney salaries and increasing by 3%.

## District Attorney Salary Schedule

Effective January 1, 2024

	Minimum	Maximum
Assistant District Attorney	\$83,281	\$143,222
Senior Assistant District Attorney	\$145,874	\$152,239
Deputy Chief of Bureau- DA	\$152,770	\$166,561
Chief of Bureau	\$177,170	\$187,779
Deputy District Attorney	\$180,353	\$189,052
Second Deputy District Attorney	\$192,553	\$198,282
First Deputy District Attorney	\$200,774	\$210,035

Above salaries are computed by taking the 2023 Assistant District Attorney salaries and increasing by 3%.

# FISCAL IMPACT STATEMENT

SUBJECT: 2022-24 DA PAY PLAN AMENDMENT  NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

GENERAL FUND  AIRPORT FUND  SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 1,383,829

Total Current Year Revenue \$ -

Source of Funds (check one):  Current Appropriations  Transfer of Existing Appropriations  
 Additional Appropriations  Other (explain)

Identify Accounts: DA Salary (101\_37\_1000\_1010) & Advance to Grants (101\_37\_1000\_4912)

Fringe (101\_52\_1000\_Various)

Potential Related Operating Budget Expenses: Annual Amount \$1,383,829  
Describe: 2022 DA Account Salaries: 101\_37\_1000\_1010 - \$1,037,825  
2022 DA Account Advance to Grants (For Trust Positions): 101\_37\_1000\_4912 - \$ 57,410  
2022 Fringes: 101\_52\_1000\_Various - \$ 288,594

Potential Related Operating Budget Revenues: Annual Amount \$ -0-  
Describe: \_\_\_\_\_

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

Current Year: 2022 increased expenses impacting salaries, advance to grants and fringe  
\$1,383,829

Next Four Years: 2023 Additional expenses of \$2,100,516 impacting DA (\$1,662,458) and  
Fringes (\$438,058)

2024 Additional Expenses of \$2,808,179 impacting DA (\$2,222,540) and Fringes (\$585,639)

Prepared by: Mark Medwid

Title: Associate Budget Director

Department: Budget

Date: August 19, 2022

Reviewed By: 

Budget Director

Date: 8/19/22

As requested, I am writing to follow-up on our meetings of May 16 and May 26, 2022, in which the District Attorney requested a salary increase for all Assistant District Attorneys in the Westchester County District Attorney's Office. As we reported in those meetings, we are currently facing a retention and recruitment crisis due to the fact that our salary scale is significantly lower than our peer offices of the Bronx, Manhattan, Queens, and Rockland.<sup>1</sup> These offices all have raised salaries in the last year, and are expected to make additional salary increases in the coming year.<sup>2</sup> Without a comparable increase in our salary scale, we will continue to face an inability to fill our vacancies which will have a negative effect on the prosecution of criminal offenses in our county, and on the corresponding safety of our community.

In the last six months, since the city offices began increasing their salaries, and Rockland began the process of removing its residency requirement, we have: (1) lost trained and experienced ADAs to other offices for the sole reason that they will be making more money in their new position; (2) lost new ADA candidates to other offices for the sole reason that they would make more money if they accepted the competing offer; (3) saw the number of resumes for lateral ADAs from other offices significantly decrease; and (4) had a lateral candidate withdraw his accepted offer because the salary increases in his current office made the financial component of our offer significantly less than he would be making if he stayed in his current office. And while there is some flexibility within our current scale within the Jr. ADA and ADA lines to change the offers that we give to potential lateral and 3L candidates, that is not a feasible solution to our current crisis because it would either prevent regular annual increases, which Rockland and the city offices all give, or it will cause internal moral issues because there is a lack of consistency in our salary scale for ADAs who have graduated from law school at the same time.

We are asking for a \$12,000 across the board salary increase for all of our ADAs to bring us closer to the salaries that our peer offices are netting on an annual basis, either via the salary they offer, or the combined salary and annual bonus. We believe this increase will allow us to retain our more junior ADAs who are within or have recently complete their three-year commitment to the office, and who we have invested significant financial and personnel resources to train. We also believe this increase will allow us to retain our senior and supervisory level ADAs, several of whom we have lost in the last year to other prosecutorial offices, or who we know to be interviewing currently. These senior and supervisory ADAs have the opportunity to make approximately \$10,000 to \$34,000 per year more in the city offices. Finally, the salary increases will allow us to recruit recent law school graduates based on all of the factors that we believe set our office apart from Rockland and the city offices, and without salary impacting the decision of the potential candidates.

We understand and appreciate that salary increases for our ADAs are not made in a vacuum, and that you are also currently working with the PBA and CSEA unions on salary increases in connection with current contract negotiations. We also understand that our ADAs have historically been viewed as comparable to attorneys in other departments in the county.<sup>3</sup> We believe, however, that the changes in

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<sup>1</sup> Our current starting salaries are just over \$4500 below the Rockland District Attorney's Office ("Rockland"), and approximately \$14,500 below the salaries that Rockland anticipates will be approved in the coming weeks in their county. We are similarly below the city offices starting salaries by approximately \$7-8000.

<sup>2</sup> These salary increases are separate from the bonus payments that are also given in the city offices on top of the normal yearly salary.

<sup>3</sup> We look forward to continuing the discussion raised in the second call on adjustments to our lines to potentially eliminate the category of "Jr. ADA" and to also raise the possibility of potentially merging the pay lines for our

the discovery laws, and the fact that our ADAs are essentially always on call, sets what they do apart from other attorneys in the county, and accordingly, supports the need for a salary increase for them to reflect the realities of the positions they occupy and the demands they face in those positions. By adjusting the salary scale to better compete with Rockland and the city offices, we will be better able to retain and hire ADAs to handle the prosecution of criminal conduct in our county, and keep our communities safe.

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Senior ADAs and Deputy Bureau Chiefs, in line with our efforts to allow our senior ADAs to have the opportunity to continue to earn meaningful salary increment increases without having a supervisory title. We have worked in the last 17-months to make sure our supervisory titles actually reflect supervisory work, but have used more senior pay lines parenthetically to allowed valued senior ADAs to have salary increases that would otherwise not have been possible, and could have caused us to lose them to other offices.