



Budget & Appropriations

BOL Meeting Minutes - Final

Committee Chair: Catherine Borgia

800 Michaelan Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Monday, April 26, 2021

10:00 AM

Committee Room

CALL TO ORDER

Meeting jointly with the Committees on Public Safety, Public Works & Transportation, Environment & Health, Parks & Recreation and Labor & Housing

With a quorum present, Chair Borgia called the meeting to order at 10:07 AM.

Pursuant to Governor Andrew Cuomo's Executive Order No. 202.1, "Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency," which temporarily suspends portions of the New York State Open Meetings Law.

A section of the order, "Suspension of law allowing the attendance of meetings telephonically or other similar services," provides for the suspension of "Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed."

Others in attendance: BOL: Kitley Covill, Alessandra Restiano, James Silverberg BOL Remote: MaryJane Shimsky, Colin Smith DPS Remote: William Mc Guinness, DOC Remote: Karl Vollmer, Bill Fallon DEF Remote: Vincent Kopicki, Marian Pompa, CJ Gelardo PARKS Remote: Kathy O'Connor, Peter Tartaglia, Ken Uhle DPW Remote: Hugh Greechan, James Antonaccio, Robert Abbamont LAW Remote: Tami Altschiller BUDGET Remote: Gideon Grande

Present: Committee Chair Borgia and Legislator Boykin

Absent: Legislator Parker

Remote: Legislator Barr, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

MINUTES APPROVAL

Monday, April 19, 2021 10 AM Minutes

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the minutes were approved. The motion carried unanimously.

Wednesday, April 21, 2021 10 AM Minutes

On motion of Legislator Maher, seconded by Legislator Barr, the minutes were approved. The motion carried unanimously.

I. ITEMS FOR DISCUSSION

1. [ACT-2021-69](#) ACT-Lease Agreement with Mount Vernon-Vehicles

AN ACT authorizing the County of Westchester to lease vehicles to the City of Mount Vernon for use by the Mount Vernon Police Department in its daily patrol operations.

Submitted by BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

Joint with PS

Guests: Captain McGuinness- Department of Public Safety

Captain Mc Guinness from the Department of Public Safety joined the joint committee meeting to discuss the Lease Agreement with Mount Vernon. With this agreement, the County will lease to Mount Vernon 4 vehicles for use by the Mount Vernon Police Department. Captain Mc Guinness noted that these vehicle no longer meet the operational demands of the County. He explained that they in good working condition and would be suitable for Mount Vernon's use, but no longer meet the needs of the County. Mount Vernon cannot purchase new vehicles at this time due to budgetary constraints.

Chairwoman Borgia noted we still retain the title but Mount Vernon maintains the vehicles, and hold all the liability. Chair of the Board Boykin noted that Mount Vernon will indemnify and hold harmless and defend the county against any claim resulting from Mount Vernon's use and or maintenance of the Vehicles. Legislator Maher asked if someone will be monitoring the insurance and constantly renewed every six months. Legislator Covill stated Risk Management will maintain the insurance. Legislator Woodson- Samuels who represents Mount Vernon, noted that Mount Vernon desperately needed these vehicles and thanked the Department for making this happen. Legislator Shimsky asked why are we leasing these vehicle and not selling them? Captain Mc Guinness worked with the law department on the details of the agreement. Legislator Barr shared her concerns regarding the lease. She noted if it was a sale, the County would not have any other responsibility. Since it is a lease, she shares the same concerns that Legislator Maher noted earlier regarding the insurance. Ms. Barr noted that we have had some experiences with other situations in the past. Ms. Barr would like some reassurance that someone from the County is monitoring the insurance. Legislator Covill stated that we can add to the agreement that Mount Vernon needs to contact the County's Risk Management every six months with certificate of insurance for these vehicles.

Assistant Chief Deputy County Attorney Tami Altschiller joined the call to resolve the issues with Risk Management. Legislator Barr asked is it is possible to put a sentence in the Act that would require Mount Vernon to send us confirmation that their insurance is renewed; or, can we just revert this to a sale instead of a lease. Ms. Altschiller noted that the obligation to maintain insurance is already addressed in the insurance schedules, but Ms. Barr said she would like proof it is being maintained. Ms. Altschiller said she would review the agreement and if she needs to put an affirmative obligation in the agreement and will work with Risk Management to tighten up the language. Ms. Altschiller explained the reasoning for the lease as opposed to a sale. The County has a Purchasing Act that limits the ability of the sale. It was her understanding that Mount Vernon needed these vehicle quickly, and that was the reasoning for the lease. Ms. Covill said when tightening up the language that the information

should be sent to Risk Management. The language was amended and the revised version can be viewed on the website.

On motion of Legislator Woodson-Samuels, seconded by Legislator Maher, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Parker

2. [ACT-2021-65](#) **IMA (Amended)-Prisoner Transportation-White Plains**

AN ACT authorizing the County to amend an Intermunicipal Agreement with the City of White Plains to provide reimbursement for prisoner transportation to the Westchester County Jail in order to extend the term of the IMA through December 31, 2021 and to reduce the monthly payments to the City of White Plains for the months of April, May, June and July 2020 and to reimburse on a per trip basis beginning August 1, 2020.

**Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY
Joint with PS**

Guests: Warden Vollmer and Bill Fallon - Department of Corrections

Warden Vollmer and Bill Fallon from the Department of Corrections joined the joint committees to discuss the amended IMA - Prisoner Transport - White Plains. This Intermunicipal Agreement will provide prisoner transportation between the Westchester County Jail and White Plains for a term January 1, 2019 through December 31, 2020.

White Plains was originally reimbursed a flat rate of \$247,872 in 2019 and \$255,312 in 2020 for a total amount of \$503,184 in order to extend the IMA through April of 2021 the payments were reduced from \$21,276 to \$10,638 for the months of April, May, June and July 2020 and the flat rate payment was eliminated from August 1, 2020 through December 31, 2021.

The new amount White Plains will be reimbursed from January 1, 2019 through December 31, 2020 will be a reduced to \$380,872 and the amount of the IMA for 2021 will be \$105,720 for a total reduced amount of \$486,592.

Traditionally White Plains has a high transportation rate but the reduction is a result low prisoner transportation due to the COVID-19 pandemic and the closures of local courthouses and in-person proceedings and the new Bail Reforms. Since White Plains has a flat rate IMA, the Department was able to negotiate a reduction. The proposed amendment reflects a reduction of \$122,312 in the cost for the 2019 through 2020 term.

Legislator Covill asked that since court will resume at the end of May, will that cause an uptick in transportation. The Department noted that they factored that in their negotiations. Warden Vollmer mentioned that he believes that some virtual hearings will still be used.

On motion of Legislator Maher, seconded by Legislator Boykin, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Parker

3. [RES-2021-90](#) **PH-Sewer District Mod-Add-Yorktown**

A RESOLUTION to set a Public Hearing on "AN ACT to modify the Peekskill Sanitary Sewer District by the addition of one (1) Parcel of Property located in the Town of Yorktown and to authorize a permit agreement with the Town to provide sewer service to the subject Parcel and to accept any easements or other real property interests from the Town." [Public Hearing set for May 10, 2021 at 7:30 p.m.] LOCAL INTRO: 2021-264.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH

Joint with PWT & EH

Guests: Commissioner Kopicki & Marian Pompa- Department of Environmental Facilities

Commissioner Kopicki, CJ Gelardo and Marian Pompa from the Department of Environmental Facilities (DEF) joined the joint meeting to discuss the capital project SW011 Rehabilitation of the Yorktown Maintenance Facility and the related Sewer Modification in Yorktown. This is an Act to authorize the County to modify the Peekskill Sanitary Sewer District by adding one parcel of County owned property located in the Town of Yorktown. It will also authorize the County to connect a sanitary sewer service line from the property to the Town-owned sanitary sewer system through a proposed permit agreement. The agreement would accept any easement or other property interest for the County to construct and maintain the sewer service connection and to have a financeable property interest in the sewer system connection. The addition of the one parcel (located at 3840 Crompound Road) which is currently not in any County sewer district. The parcel is the DEF's of Maintenance Garage. The septic system has not been functioning and the DEF has requested it be added to the District. In order for the parcel obtain sewer service it needs to be connected to the Town of Yorktown's sanitary sewer and the County is required to enter into an agreement with the Town to provide sewer service.

The related Bond Act SW011 would authorize the County to issue bonds in the total amount of \$2,000,0000 to finance Phase II of the Rehabilitation of the Yorktown Maintenance Facility. Phase II funding will be used to complete all exterior work, including replacing the existing septic system with a new low pressure system, including a new pressurized force main from the building to the property line that will be connected to the local Yorktown sewer system. The work will include repaving the facility's existing paved driveway and storage yard and miscellaneous site work and drainage improvements. Phase I design has been completed by consultants and construction is expected to take 12 months and begin in the second Quarter of 2021. Phase II construction is also estimated to take 12 months and will begin after the completion of Phase 1.

On motion of Legislator Maher, seconded by Committee Vice-Chair Gashi, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Parker

4. [2021-262](#) **ENV RES-Sewer District Mod-Add-Yorktown**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from Capital Project SW011 - Rehabilitation of the Yorktown Maintenance Facility.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH

Joint with PWT & EH

Guests: Commissioner Kopicki & Marian Pompa- Department of Environmental Facilities

Please refer to item #3.

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Parker

5. [2021-263](#) **BOND ACT-SW011-Rehabilitation of the Yorktown Maintenance Facility**

A BOND ACT authorizing the issuance of TWO MILLION (\$2,000,000) DOLLARS in bonds of Westchester County to finance Phase II of Capital Project SW011 - Rehabilitation of the Yorktown Maintenance Facility.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH

Joint with PWT & EH

Guests: Commissioner Kopicki & Marian Pompa- Department of Environmental Facilities

Please refer to item #3.

On motion of Legislator Williams, seconded by Legislator Barr, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Parker

6. [2021-264](#) **ACT-Sewer District Mod-Add-Yorktown, & To Authorize Permit Aqrmnt.**

AN ACT to modify the Peekskill Sanitary Sewer District by the addition of one (1) Parcel of Property located in the Town of Yorktown and to authorize a permit agreement with the Town to provide sewer service to the subject Parcel and to accept any easements or other real property interests from the Town.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH

Joint with PWT & EH

Guests: Commissioner Kopicki & Marian Pompa- Department of Environmental Facilities

Please refer to item #3.

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Parker

7. [RES-2021-89](#) **ENV RES-RMAC4-Woodlands Lake Dam at V.E. Macy Park**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from Capital Project RMAC4 - Woodlands Lake Dam at V.E. Macy Park.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PARKS & RECREATION

Joint with PWT & PR

Guests: Commissioner O'Connor and Deputy Commissioner Tartaglia- Department of Parks & Recreation; Commissioner Greechan and Program Coordinator (Capital Planning) Robert Abbamont

Commissioner O'Connor and Deputy Commissioner Tartaglia joined the committee meeting to discuss the capital project RMAC4- Woodlands Lake Dam at V.E. Macy Park. This item was discussed in detail at a previous meeting. Legislator Shimsky that we had an offline meeting with representatives from all three municipalities involved. She noted that all of the municipalities involved are satisfied with the plans and have no issues. Commissioner O'Connor thanked everyone for their due diligence and that projects always are more successful when all parties are in agreement. Deputy Commissioner Tartaglia mentioned that the Department will stay in contact with the local municipalities and update them on scheduling and on work.

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Borgia, Legislator Barr, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Parker

Away: Legislator Boykin

8. [ACT-2021-64](#) **BOND ACT-RMAC4-Woodlands Lake Dam at V.E. Macy Park**

A BOND ACT authorizing the issuance of FIVE MILLION (\$5,000,000) DOLLARS in bonds of Westchester County to finance Capital Project RMAC4 - Woodlands Lake Dam at V.E. Macy Park.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PARKS & RECREATION

Joint with PWT & PR

Guests: Commissioner O'Connor and Deputy Commissioner Tartaglia- Department of Parks & Recreation; Commissioner Greechan and Program Coordinator (Capital Planning) Robert Abbamont

Please refer to item # 7.

On motion of Legislator Maher, seconded by Committee Chair Borgia, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Borgia, Legislator Barr, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Parker

Away: Legislator Boykin

9. [ACT-2021-66](#) **CBA-A0133-Rehabilitation of Taxiway L**

AN ACT amending the 2021 County Capital Budget Appropriations for Capital Project A0133 - Rehabilitation of Taxiway L.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with PWT

Guests: Commissioner Greechan, Program Coordinator (Capital Planning) Robert Abbamont and Jim Antonaccio

Commissioner Greechan, Robert Abbamont and Jim Antonaccio from the Department of Public Works & Transportation came before the joint committee to discuss Capital Budget Amendment (CBA), related Bond Act A0133- Rehabilitation of Taxiway L and an Act- Enter into Grant Agreement with FAA- A0133- Rehabilitation of Taxiway L.

The proposed Capital Budget Amendment (CBA) will amend the County's current Capital Budget to increase the appropriations for project A0133 by \$200,000 bringing the total amount to \$4,000,000. The related Bond Act in the amount of \$200,000 would finance the cost of construction and construction management for the rehabilitation of Taxiway "L" between Runaway 11/29 and Taxiway "C", approximately 1700 feet at the Westchester County Airport. The Act would authorize the County to apply for and enter into a grant with the FAA for the rehabilitation of Taxiway "L" from runway 11/29/to Taxiway "C". The FAA will fund up to 90% of the project, resulting in a grant amount of approximately \$3,600,000. Additionally, the NYS Department of Transportation will fund up to 5% of the project resulting in a grant amount of \$200,000. The remainder 5% of the cost (\$200,000) will be funded by the Airport Special Revenue Fund.

The rehabilitation is necessary because the runway has reached the end of its useful life. Design is at 100% and has been completed by consultants, construction is estimated to take 3 months.

Mr. Antonnacio explained that we had entitlement money available this year. He noted that the FAA worked with the County to move up the allocation from 2021 to 2022.

Legislator Barr asked Commissioner Greechan to put on the record how this is different from what was there before and whether it will permit larger planes. Commissioner Greechan discussed that it is the same footprint except for the turning radius. They are adding a filler at the bottom to meet FAA standards and make it a little safer. There will not be a change in the size or weight of the planes. This runway was chosen because of the conditions of the runway. Mr. Greechan noted that photos from Google identify the cracks.

Mr. Anntonaccio explained what "entitlement money/grant" is for the members. This money is the County receives every year (approximately \$3.7 million). He explained this money is based on deplanements and we receive this every year.

On motion of Legislator Maher, seconded by Committee Vice-Chair Gashi, the above item

was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Borgia, Legislator Barr, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Parker

Away: Legislator Boykin

10. [ACT-2021-67](#) **BOND ACT-A0133-Rehabilitation of Taxiway L**

A BOND ACT authorizing the issuance of TWO HUNDRED THOUSAND (\$200,000) DOLLARS in bonds of Westchester County to finance Capital Project A0133 - Rehabilitation of Taxiway L.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with PWT

Guests: Commissioner Greechan, Program Coordinator (Capital Planning) Robert Abbamont and Jim Antonaccio

Please refer to item #9.

On motion of Legislator Barr, seconded by Legislator Walter, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Borgia, Legislator Barr, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Parker

Away: Legislator Boykin

11. [ACT-2021-68](#) **ACT-Enter into Grant Agreement with FAA-A0133-Rehabilitation of Taxiway L**

AN ACT to authorize the County to apply for and enter into a grant agreement with the United States of America, acting through the Federal Aviation Administration ("FAA") , for Capital Project A0133 - Rehabilitation of Taxiway L.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with PWT

Guests: Commissioner Greechan, Program Coordinator (Capital Planning) Robert Abbamont and Jim Antonaccio

Please refer to item #9.

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Borgia, Legislator Barr, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Parker

Away: Legislator Boykin

12. [ACT-2021-70](#) **ACT - Ravine Ave. Amendment**

AN ACT amending Act No. 2021-245 which authorized the County of Westchester to purchase approximately +/- 1.38 acres of real property located at 60 & 76 Point Street and 81 Ravine Avenue in the City of Yonkers and to subsequently convey said property, as well as authorize the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of creating 146 affordable rental units and remain affordable for a period of not less than 50 years.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND LABOR & HOUSING

Joint with PWT & LH

Guest: Leonard Gruenfeld, Housing Administrator - Department of Planning

Leo Gruenfeld, Housing Administrator for the Department of Planning and Assistant Commissioner Anthony Zaino came before the joint committees to discuss the amendment to the legislation passed by the Board on April 12, 2021 (Act No. 2021-245 and Act No. 2021-246). Mr. Gruenfeld explained that they were advised by Conifer Realty, that pursuant to NYS Executive Law we cannot set aside 44 units for seniors aged 55 and older as previously anticipated. He discussed further that the NYS Division of Human Rights had previously granted a public policy exemption but the NYS Housing Finance Agency and the NYS Division of Housing and Community Renewal have refused to grant such an exemption. Before the joint committees is amendments omitting the provision stating that 44 units will be set aside for seniors 55 and older. The units are now open to all age groups including seniors. This is the only change and the all other provisions remain in place.

On motion of Legislator Maher, seconded by Legislator Barr, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Borgia, Legislator Barr, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Excused: Legislator Parker

Away: Legislator Boykin

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Maher, seconded by Legislator Walter, the Committee adjourned at 11:35 AM.