



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, May 17, 2021

10:00 AM

Committee Room

CALL TO ORDER

Meeting jointly with the Committees on Law & Major Contracts, Public Safety, Seniors, Youth & Intergenerational Services, Public Works & Transportation and Parks & Recreation

With a quorum present, Chair Borgia called the meeting to order at 10:11AM.

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, Jill Axelrod, Elizabeth LoBello, Jason Chervokas BOL Remote: Colin SMith, MaryJane Shimsky, Jose Alvarado BUDGET Remote: Larry Soule, Gideon Grande LAW: John Nonna CORRECTIONS Remote: Karl Vollmer, Bill Fallon SENIORS SERVICES Remote: Sandra Brown, Agnes Nowak PARKS Remote: Kathy O'Connor, Peter Tartaglia DPW Remote: Ken Uhle

Present: Committee Chair Borgia, Legislator Boykin, Committee Vice-Chair Gashi and Legislator Maher

Absent: Legislator Johnson

Remote: Legislator Barr, Legislator Cunzio, Legislator Parker, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

MINUTES APPROVAL

Monday, May 10, 2021 10:00 AM Minutes

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

Monday, May 10, 2021 1:00 PM Minutes

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the minutes were

approved. The motion carried unanimously.

I. ITEMS FOR DISCUSSION

Presentation & Discussion of the 1st Quarter Report

Guests: Budget Director Larry Soule and Deputy Budget Director Gideon Grande

Budget Director Soule and Deputy Director Grande appeared before the Budget & Appropriations Committee to present the First Quarter Update for the Financial Year 2021. This is an annualized forecast for the 12 months ending December 31, 2021 based on actual results through March 31, 2021.

Budget Director Soule discussed that the County will receive relief from the Families First, CARES, Coronavirus Response and Relief Supplemental Appropriations (CRRSAA), and American Rescue Plan (ARPA) Act to offset expenses related to mitigating to the COVID-19 Pandemic. Mr. Soule also noted that New York State has reinstated state aid for 2021 and 2022. The Department is forecasting an increase to the fund balance by \$16 million for the 2021 fiscal year. He also noted that sales tax is performing better than expected and that Westchester is ahead of the 2019 pre-pandemic sales tax numbers.

The Budget members asked for some follow-up from the Department. Referring to the Unemployment Chart on page 6. Legislator Maher is asking if we have a demographic breakdown. Legislator Maher discussed that the pandemic had a large impact on women in the work force, due to the remote learning. He was asking specifically for a breakdown of male/female, ethnic background and level of income. Deputy Director Grande said the information may not be available yet, but he would check with the Department of Labor. Chairwoman Borgia and Legislator Maher asked about the increase in Federal Prisoner money. The Department will follow-up with the Department of Corrections on the details. Legislator Maher asked about the US Marshall Services and detainees, do we have a percentage increase of the \$2 million? He asked of the \$10 million in OT, what part of this is for the Department of Corrections?

Chairman of the Board, Boykin asked for a breakdown of the Local Fiscal Recovery Funds (ARPA) and Legislator Walter is asking for a breakdown of the Federal money, excluding the transit money. Mr. Soule explained that we will receive \$50 million dollars in aid to be specifically used for transit (buses).

To view the entire presentation please refer to the video, or use the link below:

http://westchestercountyny.granicus.com/MediaPlayer.php?view_id=1&clip_id=825

To view the report, please refer to the link below.

<https://www.westchestergov.com/images/stories/budget/2021/20211q.pdf>

1. [2021-308](#) **ACT - Outside Counsel Agreement with the Wicks Group**

AN ACT authorizing the County of Westchester to retain at County expense, the Wicks Group, PLLC for the provision of outside counsel services related to the Westchester County Airport, for a term of one (1) year commencing retroactive to January 1, 2021 for an amount not-to-exceed ONE HUNDRED THOUSAND (\$100,000) DOLLARS.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

Joint with LMC**Guest: County Attorney John Nonna**

County Attorney John Nonna appear before the joint committee to discuss an Act-Outside Counsel Agreement with the Wicks Group. Mr. Nonna explained that this would authorize the County to continue to retain the Wicks Group, PLLC for provision of outside counsel services in connection with various legal issues relating to the Westchester County Airport for a term on 1 year commencing retroactively to January 1, 2021 in a not-to-exceed amount of \$100,000. Mr. Nonna explained that the agreement expired last year. He discussed that the firm is handling one issue right relating to the operations of the Airport. Mr. Nonna said he would be happy to discuss in executive session. Chairwoman Borgia asked if the conversation could be held at an additional meeting due to the current Budget & Appropriations agenda. Mr. Nonna explained that he may need the firm to assist on the Airport Master Plan now that the restrictions are being lifted and in person meetings can resume.

Legislator Maher asked the County Attorney if the Wicks Group had any involvement with the ongoing issue with Millionaire. Mr. Nonna said the County Attorney's office and the Wicks Group have not been involved with the ongoing issue with Millionaire. Legislator Maher had additional questions regarding Millionaire, Chairwoman Borgia and Chairwoman Barr of the Law & Major Contracts Committee stated that this is an important conversation and asked to continue this conversation for a later date and possible include the Committee on Environment & Health.

Legislator Maher's vote was recorded "without prejudice".

On motion of Legislator Boykin, 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 Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Johnson

2. [2021-314](#) IMA-Prisoner Transportation-21 Municipalities

AN ACT authorizing the County to enter into Intermunicipal Agreements with twenty-one (21) municipalities in order to provide reimbursement for prisoner transportation to the Westchester County Jail.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

Joint with PS**Guests: Warden Vollmer & Bill Fallon- Department of Corrections**

Warden Vollmer and Director Fallon from the Department of Corrections appeared before the Committees to discuss item #2021-314 IMA-Prisoner Transportation-21 Municipalities. The IMAs will commence January 1, 2021 and terminate December 31, 2022 and the annual reimbursement will not exceed \$695,563 in 2021 and 2022 for a total aggregate amount not to exceed \$1,391,126. These IMAs will allow the County to reimburse the municipalities for the costs they incur in transporting prisoners, who have been arraigned in local courts, between each municipality and the Westchester County Jail. Reimbursement to the municipalities will be pursuant to four zone rates which are fixed fees plus the mileage to and from the Westchester County Jail multiplied by the then current Internal Revenue Service mileage rate. The County will also reimburse the municipalities for the actual and reasonable cost of meals provided to post-arraignment prisoners. Director Fallon discussed that this is the same

agreement that has been in place for many years. Warden Vollmer noted that the IRS mileage rate has decreased to \$0.56 per mile. Legislator Covill asked what the previous rate was. Warden Vollmer responded that it was previously \$0.58 per mile.

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 Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Johnson

3. [2021-324](#) **ACT-2 Grant Agreements with the State of New York**

AN ACT authorizing the County of Westchester to enter into grant agreements with the State of New York acting by and through its Office for the Aging, to accept grant funds under the Health Insurance Information, Counseling and Assistance Program ("HIICAP") and the Medicare Improvements for Patients and Providers Act ("MIPPA"), noting that both grants are comprised of federal and New York State funds.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND SENIORS, YOUTH & INTERGENERATIONAL SERVICES

Joint with SYIS

Guests: Sandra Brown, Director of Program Development & Agnes Nowak, Director of Program Development- Department of Senior Program & Services

Sandra Brown and Agnes Nowak, Directors of Program Development for the Department of Senior Services & Programs appeared before the joint committee to discuss an Act- 2 Grant Agreements with NYS. This is an Act that would authorize the County of Westchester to enter into 2 grant agreements with the State of New York to accept funds made available to the County under the HHealth Insurance Information, Counseling and Assistance Program (HIICAP) and the Medicare Improvements for Patients and Providers Act (MIPPA) in the not to exceed of amounts of \$53,225 (HIICAP) and \$37,676 (MIPPA). A portion of the HIICAP funding will be allocated to a contract with non-municipal entity and the balance of the funding be used by the Department to provided information contract services. The MIPPA funding will be used by the Department to provide Medicare Counseling services. Any services contract will be submitted through the Board of Acquisition and Contracts for approval.

On motion of Legislator Boykin, 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 Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Johnson

4. [2021-328](#) **ACT - City of Mt. Vernon Summer Basketball Program**

AN ACT authorizing the County to enter into an inter-municipal agreement with the City of Mount Vernon ("City") pursuant to which the City will provide a summer basketball program for the period July 12, 2021 through August 13, 2021 for a total amount not to exceed TWENTY-TWO THOUSAND, FOUR HUNDRED THREE (\$22,403) DOLLARS.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND SENIORS, YOUTH & INTERGENERATIONAL SERVICES**Joint with SYIS**

Legislator Woodson-Samuels discussed this Act- City of Mount Vernon Summer Basketball Program. This is an Act that would authorize the County to enter into an agreement with the City of Mount Vernon to which the City would provide a summer basketball program. The program will operate 5 days per week for a period commencing on July 12, 2021 through August 13, 2021. The program will be held at the Mount Vernon High School gym and will operate Monday through Friday from 1 PM - 5PM. 90 boys and girls between the ages of 8 -17 will be registered. In addition to learning basketball skills the program will also teach "life skill". Each week a speaker will present a discuss different topics. The County will pay the City a not to exceed amount of \$22,403.

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 Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Away: Legislator Johnson

5. [2021-301](#) ENV RES-RHW01-Hillside Woods Restoration

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from Capital Project RHW01 - Hillside Woods Restoration.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PARKS & RECREATION**Joint with PWT & PR**

Guests: Commissioner Kathy O'Connor, First Deputy Commissioner Peter Tartaglia- Department of Parks & Recreation; Ken Uhle, Program Coordinator (Capital Planning-Park Facilities) Department of Public Works and Transportation

Commissioner Kathy O'Connor, First Deputy Commissioner Peter Tartaglia from the Department of Parks & Recreation and Ken Uhle, Program Coordinator from the Department of Public Works and Transportation appeared before the joint committees to discuss 2021-301 - ENV RES-RHW01-Hillside Woods Restoration, 2021-302 – BOND ACT – RHW01- Hillside Woods Restoration, and 2021-303 – IMA-Urban Forestry Management Project RHW01 – Hastings-on-Hudson. The Bond Act, is in the amount of \$100,000 to finance the funding for the Capital Project. The Act would authorize the County to enter into an IMA with the Village of Hastings-on-Hudson (the "Village) for purpose of implementing capital project RHW01 - Hillside Woods Restoration.

First Deputy Commissioner Tartaglia discussed how the County of Westchester and the Village of Hastings-on-Hudson entered into an agreement in 1993 to purchase an undivided interest in Hillside Woods, an approximate 52 acre woodland in the Village, for the purpose of establishing the Hillside Woods and Park. The Village agreed full responsibility for the administration of the Park. Since then there has been an overpopulation of deer and invasive plants, the Park is in a severely deteriorated condition. Both the Village and the County are

now seeking to undertake an Urban Forestry Management Project to restore and regenerate the Park. This Project request will consist of plant and tree removal, tree and shrub replanting and installation of deer fencing.

The IMA would authorize the County to enter into an agreement with the Village. In accordance to the IMA, the Village will implement the work to complete the project, and the County will pay the Village \$100,000 for the work.

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 Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Maher, Legislator Parker, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Johnson

Away: Legislator Tubiolo

6. [2021-302](#) **BOND ACT-RHW01-Hillside Woods Restoration**

A BOND ACT authorizing the issuance of ONE HUNDRED THOUSAND (\$100,000) DOLLARS in bonds of Westchester County to finance Capital Project RHW01 - Hillside Woods Restoration.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PARKS & RECREATION

Joint with PWT & PR

Guests: Commissioner Kathy O'Connor, First Deputy Commissioner Peter Tartaglia- Department of Parks & Recreation; Ken Uhle, Program Coordinator (Capital Planning-Park Facilities) Department of Public Works and Transportation

Please refer to item #5.

On motion of Committee Vice-Chair Gashi, 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 Maher, Legislator Parker, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Johnson

Away: Legislator Tubiolo

7. [2021-303](#) **IMA-Urban Forestry Mngmt. Proj.-RHW01-Hastings-on-Hudson**

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the Village of Hastings-on-Hudson in connection with an Urban Forestry Management Project (Capital Project RHW01).

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

Joint with PWT & PR

Guests: Commissioner Kathy O'Connor, First Deputy Commissioner Peter Tartaglia- Department of Parks & Recreation; Ken Uhle, Program Coordinator (Capital Planning-Park Facilities) Department of Public Works and Transportation

Please refer to item # 5.

On motion of Committee Vice-Chair Gashi, 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 Maher, Legislator Parker, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

Absent: Legislator Johnson

Away: Legislator Tubiolo

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Maher, seconded by Legislator Boykin, the Committee adjourned at 12:34PM.