



Board of Legislators

BOL Meeting Minutes - Final

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

Monday, January 9, 2023

7:00 PM

Legislative Chambers

Regular Meeting

CALENDAR 1 (CONSENT)

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/> This website also provides links to materials for all matters to be discussed at a given meeting.

CALL TO ORDER

The County Board met pursuant to adjournment.

The Honorable Catherine Borgia in the Chair.

The Chairwoman opened the meeting at 7:11 PM with the salute to our flag and a prayer.

The roll call resulted as follows:

Present: Majority Leader Christopher Johnson
Minority Leader Margaret Cunzio
Majority Whip Jose Alvarado
Vice Chairwoman Nancy Barr
Legislator Benjamin Boykin
Legislator Terry Clements
Legislator Vedat Gashi
Legislator Damon Maher
Minority Whip James Nolan
Legislator Erika Pierce
Legislator Colin Smith
Legislator David Tubiolo
Legislator Jewel Williams Johnson
Legislator Tyrae Woodson-Samuels
Chairwoman Catherine Borgia

Remote: Legislator Catherine Parker

MINUTES APPROVAL

December 12, 2022 10am Regular Meeting
December 12, 2022 10:30am Special Meeting

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio, the minutes were adopted. The motion carried unanimously.

PUBLIC COMMENT

There was 1 speaker.

PUBLIC HEARING

UNFINISHED BUSINESS

I. COMMUNICATIONS

A. COUNTY EXECUTIVE

1. [2023-10](#) **APPT-Board of Plumbing Examiners-Alonge**

A RESOLUTION appointing Salvatore Alonge as the Master Plumber member for the Westchester County Board of Plumbing Examiners for the term October 31, 2022 to December 31, 2025.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio the above item was received, filed and referred to the committee listed above. The motion carried unanimously.

2. [2023-11](#) **APPT-LGBTQ Advisory Board-Maitland**

A RESOLUTION appointing Noah Maitland as a member of the Westchester County LGBTQ Advisory Board for the term September 29, 2022 to December 31, 2025.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio the above item was received, filed and referred to the committee listed above. The motion carried unanimously.

3. [2023-12](#) **REAPPT-Emergency Medical Srvcs Adv Bd-Hlushko**

A RESOLUTION reappointing Maria Hlushko as a member of the Westchester County Emergency Medical Services Advisory Board for the term July 11, 2022 to December 31, 2024.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio the above item was received, filed and referred to the committee listed above. The motion carried unanimously.

4. [2023-13](#) **REAPPT-Council for Seniors-Charles**

A RESOLUTION reappointing Edith Charles as the District 13 representative member of the Westchester County Council for Seniors for the term May 23, 2022 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio the above item was received, filed and referred to the committee listed above. The motion carried unanimously.

5. [ACT-2023-15](#) **IMA-E-911 Service-45 Municipalities**

AN ACT to authorize the County of Westchester to enter into Intermunicipal Agreements with 45 local municipalities to implement and operate Enhanced 911 service and to address any liability issues associated with the operation thereof.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio the above item was received, filed and referred to the committees listed above. The motion carried unanimously.

B. COUNTY ATTORNEY

SI. 1. [2023-16](#) **ACT - Lawsuit Settlement Golodetz v. County of Westchester**

AN ACT authorizing the County Attorney to settle the lawsuit of Kim Golodetz v. County of Westchester in the amount of FOUR HUNDRED FIVE THOUSAND (\$405,000) DOLLARS.

COMMITTEE REFERRAL: BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio the above item was received, filed and referred to the committees listed above. The motion carried unanimously.

C. LEGISLATORS

D. OTHERS

II. NOTICES & PETITIONS

1. [2023-14](#) **CLERK OF THE BOARD - Hon. Shimsky Resignation Letter**

Forwarded from Hon. MaryJane Shimsky, a letter that she is resigning from the Office of Westchester County Legislator for the 12th Legislative District, effective Sunday, January 1, 2023.

FOR INFORMATIONAL PURPOSES ONLY - NO COMMITTEE REFERRAL NECESSARY

RESULT: Majority Leader Johnson, seconded by Minority Leader Cunzio, reviewed

SI. 2. [2023-17](#) **CLERK OF THE BOARD - County Clerk letter re: Shimsky Resignation**

Forwarded from Timothy Idoni, Westchester County Clerk, correspondence regarding the vacancy on the Board of Legislators of the County of Westchester by reason of the resignation of MaryJane Shimsky - District 12.

FOR INFORMATIONAL PURPOSES ONLY - NO COMMITTEE REFERRAL NECESSARY

RESULT: Majority Leader Johnson, seconded by Minority Leader Cunzio, reviewed

III. STANDING COMMITTEES

1. [RES-2023-1](#) **RES - Special Election - Twelfth County Legislative District**

A RESOLUTION to hold a special election on February 28, 2023 to fill the vacancy of the Office of County Legislator for the Twelfth County Legislative District.

SUBMITTED BY: COMMITTEE ON RULES

Majority Leader Johnson presented the report and the RESOLUTION and moved that the report be received, filed and approved and the RESOLUTION adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Majority Whip Alvarado, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Legislator Gashi, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Chairwoman Borgia

SI. 2. [ACT-2023-1](#) **ACT - Lawsuit Settlement of Krassowski v. County of Westchester**

AN ACT authorizing the County Attorney to settle the lawsuit of Jacek Krassowski v. County of Westchester, et al., in the amount of SEVEN HUNDRED, FIFTY THOUSAND (\$750,000) DOLLARS.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

Legislator Gashi and Legislator Maher presented the report and the ACT - Lawsuit Settlement and moved that the report be received, filed and approved and the ACT - Lawsuit Settlement adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Majority Whip Alvarado, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Legislator Gashi, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Chairwoman Borgia

SI. 3. [ACT-2023-2](#) **ACT - Lawsuit Settlement County of Westchester v. Unity Mechanical Corp.**

AN ACT authorizing the County Attorney to settle the lawsuit of County of Westchester v. Unity Mechanical Corp.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

Legislator Gashi and Legislator Maher presented the report and the ACT - Lawsuit Settlement and moved that the report be received, filed and approved and the ACT - Lawsuit Settlement adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Majority Whip Alvarado, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Legislator Gashi, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Chairwoman Borgia

SI. 4. [ACT-2023-3](#) ACT - Agreement Amendment re: County Trunk Sanitary Sewer System

AN ACT authorizing the County of Westchester to amend the agreement with the law firm of Abrams, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP for "Of Counsel" legal services in connection with the County Trunk Sanitary Sewer System located on the real property owned by ARCO Environmental Remediation LLC and classified as an Inactive Hazardous Waste Disposal Site on River Street in the Village of Hastings-on-Hudson.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

Legislator Gashi and Legislator Maher presented the report and the ACT - Amendment to Agreement and moved that the report be received, filed and approved and the ACT - Amendment to Agreement adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Majority Whip Alvarado, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Legislator Gashi, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Chairwoman Borgia

SI. 5. [ACT-2023-23](#) BOND ACT(Amended)-BPL26-2001-Flood Mitigation

A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of ONE MILLION, FIVE HUNDRED THOUSAND (\$1,500,000) DOLLARS to finance a component of Capital Project BPL26 - Flood Mitigation.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

This matter was recommitted by Legislator Gashi.

SI. 6. [ACT-2023-24](#) IMA (Amend)-Flood Mitigation-Village of Mamaroneck

AN ACT authorizing the County of Westchester to amend the existing intermunicipal agreement with the Village of Mamaroneck in order to increase the County's contribution toward a flood mitigation project.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

This ACT - Amendment to Agreement was recommitted by Legislator Gashi.

SI. 7. [ACT-2023-4](#) ACT - Lawsuit Settlement Green v. Westchester

AN ACT authorizing the County Attorney to settle the lawsuit of Beth Green v. County of Westchester in the amount of EIGHT HUNDRED FIFTY THOUSAND (\$850,000) DOLLARS, inclusive of attorney's fees.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

Legislator Gashi and Minority Whip Nolan presented the report and the ACT - Lawsuit Settlement and moved that the report be received, filed and approved and the ACT - Lawsuit Settlement adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Majority Whip Alvarado, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Legislator Gashi, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Chairwoman Borgia

SI. 8. [ACT-2023-5](#) BOND ACT-BO116-Infrastructure Rehab.-Peekskill District Office

A BOND ACT authorizing the issuance of FIVE HUNDRED THOUSAND (\$500,000) DOLLARS in bonds of Westchester County to finance Capital Project B0116 - Infrastructure Rehabilitation, Peekskill District Office (2021-2025).

SUBMITTED BY: BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Legislator Gashi and Legislator Pierce presented the report and the ACT - Bond Act and moved that the report be received, filed and approved and the ACT - Bond Act adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Majority Whip Alvarado, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Legislator Gashi, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Chairwoman Borgia

SI. 9. [ACT-2023-27](#) BOND ACT-A0134, A0138, A0140-Various Capital Projects-Westchester County Airport

A BOND ACT authorizing the issuance of FOUR MILLION, FIFTY THOUSAND (\$4,050,000) DOLLARS in bonds of Westchester County to finance the following three (3) capital projects at the Westchester County Airport: A0134-HVAC Upgrades, Terminal Bldg., A0138-Ramp Service Equipment and A0140-Electrical, Data and Security Systems Upgrades.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

This ACT - Bond Act was recommitted by Legislator Gashi.

SI. 10. [ACT-2023-6](#) BOND ACT-BO14E, BO124, BPF39

A BOND ACT authorizing the issuance of THIRTEEN MILLION, THREE HUNDRED THOUSAND (\$13,300,000) DOLLARS in bonds of Westchester County to finance the following three (3) Capital Projects: B014E-Exterior Infrastructure Improvement, White Plains Complex (2021-2025), B0124-White Plains Complex Lighting Systems and BPF39-Electric

Vehicle Charging Stations and Infrastructure.

SUBMITTED BY: BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Legislator Gashi and Legislator Pierce presented the report and the ACT - Bond Act and moved that the report be received, filed and approved and the ACT - Bond Act adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Majority Whip Alvarado, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Legislator Gashi, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Chairwoman Borgia

SI. 11. ACT-2023-7 BOND ACT-RB210, RB212, RB214, RB233, RB234, RB235, RB236, RB237, P0032

A BOND ACT authorizing the issuance of SIXTEEN MILLION, SIX HUNDRED FORTY THOUSAND (\$16,640,000) DOLLARS in bonds of Westchester County to finance the following nine (9) capital projects: RB210-Pelham Shore Rd., CR 65A, Pelham, RB212-Bryant Ave., CR 153, White Plains, RB214-Lake St., CR 32B, White Plains, RB233-Virginia Rd., CR 35/51, Mt. Pleasant/North Castle, RB234 Heathcote Bypass, CR 143 Scarsdale, RB235-Pearl St., CR 43, Port Chester, RB236-North Division St/South St, CR 6311, Peekskill, RB237-East/West Main St, CR 25/251, Peekskill and P0032-Playland Parkway, CR 152, Rye.

SUBMITTED BY: BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Legislator Gashi and Legislator Pierce presented the report and the ACT - Bond Act and moved that the report be received, filed and approved and the ACT - Bond Act adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Majority Whip Alvarado, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Legislator Gashi, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Chairwoman Borgia

IV. SPECIAL ORDERS

MOTIONS, RESOLUTIONS & CALL OF THE DISTRICTS

1. **M-RES-2023-1 Memorial Resolutions 1-2023**

HON. CATHERINE BORGIA: Sister Alice Cardillo, Sister Patricia Norton, Florence Visalli

HON. CATHERINE BORGIA AND ALL LEGISLATORS: Charles DiGiacomo

HON. MARGARET A. CUNZIO: Shannon J. Estavillo, George J. Eversmann, Boniface Anthony DiGregoria, Carol A. Oswald, John Christopher Rossi, Patricia Ann Williams

HON. VEDAT GASHI AND ALL LEGISLATORS: Lieutenant Kenneth Sgroi

LEGISLATORS GASHI, BOYKIN, PARKER AND BARR: Carol Wasserman Klepper

LEGISLATORS JOHNSON, CUNZIO AND ALVARADO: Gail Baxter

HON. CATHERINE PARKER: Charlotte Billingsley

HON. ERIKA PIERCE: Irene Loretta Squirrell

HON. DAVID J. TUBIOLO AND ALL LEGISLATORS: Lillian Rose Pierorazio,

HON. DAVID J. TUBIOLO: Bruce Kellman, Assemblyman Quentin Williams

RESULT: Majority Leader Johnson, seconded by Minority Leader Cunzio, adopted

ADJOURNMENT

Next meeting: January 23, 2023 at 7pm.

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio, the Board adjourned at 7:54 PM to meet on January 23, 2023 by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Majority Whip Alvarado, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Legislator Gashi, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Chairwoman Borgia