



Board of Legislators

BOL Meeting Minutes - Final

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

Monday, January 25, 2021

7:00 PM

Legislative Chambers

CALENDAR 2 (CONSENT)

CALL TO ORDER

The County Board met pursuant to adjournment.

The Honorable Benjamin Boykin in the Chair.

The Chairman opened the meeting at 7:02 PM with the salute to our flag and a prayer.

The roll call resulted as follows:

Present: Legislator Kitley Covill
Legislator Vedat Gashi
Legislator Ruth Walter
Chairperson Benjamin Boykin

Remote: Majority Leader MaryJane Shimsky
Minority Leader Margaret Cunzio
Legislator Jose Alvarado
Legislator Nancy Barr
Legislator Catherine Borgia
Legislator Terry Clements
Majority Whip Christopher Johnson
Legislator Damon Maher
Legislator Catherine Parker
Legislator Colin Smith
Legislator David Tubiolo
Legislator Alfreda Williams
Legislator Tyrae Woodson-Samuels

MINUTES APPROVAL

January 11, 2021 at 7PM

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

PUBLIC COMMENT

Mr. Boykin makes a motion, seconded by Ms. Walter, to suspend Board Rule 4.1; motion passes by unanimous consent.

PUBLIC HEARING

Please note: On January 25, 2021, the County Board will exercise Governor Cuomo's Executive Order No. 202.28 which temporarily suspends portions of the Open Meetings Law allowing public bodies to meet and take action without permitting in-person public access to meetings and authorizes such meetings and public hearings to be held remotely by conference call or similar service, provided the public has the ability to view or listen and that such meetings are recorded and later transcribed. Registration for telephonic public hearing comments must be made by 3pm at 914.995.2800. Telephonic public hearing comments will be heard beginning at 7:30 pm, by calling 914.995.2800. Written may be submitted to BOLPublicHearingComments@westchestergov.com.

UNFINISHED BUSINESS

I. COMMUNICATIONS

A. COUNTY EXECUTIVE

1. [ACT-2021-BOND ACT-Roads \(RB132, RB144, RB208, RB220, RB224\) 19](#)

A BOND ACT authorizing the issuance of bonds of Westchester County in the total aggregate amount of FIVE MILLION, SIXTY THOUSAND (\$5,060,000) DOLLARS to finance the 5 following Capital Projects for 2021: RB132-Highland Road, C.R. 308, Harrison, RB144-Croton Point Avenue, C.R. 7A, Croton-on-Hudson, RB208-Brook Street/Harney Road, C.R. 2, Eastchester, RB220-Woods Road, C.R. 200, And Hammond House Road/Sunshine Cottage Road, C.R. 301, Mount Pleasant and RB224-North State Road, C.R. 154, New Castle.

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

On motion of Majority Leader Shimsky the above item was received, filed and referred to the committee(s) listed above. The motion carried unanimously.

2. [ACT-2021-BOND ACT-Building Systems \(BES20, BLR10, B0114, B0115, B015C, B015E\) 20](#)

A BOND ACT authorizing the issuance of bonds of Westchester County in the total aggregate amount of NINE MILLION, SEVENTY-FIVE THOUSAND (\$9,075,000) DOLLARS to finance the following 6 Capital Projects for 2021: BES20-DES Backup Generator, BLR10-Labs and Research Infrastructure Improvements (2017-2021), B0114-Infrastructure Rehabilitation, Valhalla Campus (2021-2025), B0115-Infrastructure Rehabilitation, Mount Vernon District Office (2021-2025), B015C-Interior Infrastructure Repairs, White Plains Complex (2011-2015) and B015E-Interior Infrastructure Repairs, White Plains Complex (2021-2025).

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

On motion of Majority Leader Shimsky the above item was received, filed and referred to the committee(s) listed above. The motion carried unanimously.

3. [ACT-2021-BOND ACT -Sidewalks \(B014E & B0115\)](#)
[21](#)

A BOND ACT authorizing the issuance of THREE MILLION, NINE HUNDRED THOUSAND (\$3,900,000) DOLLARS in bonds of Westchester County to finance Capital Project B014E - Exterior Infrastructure Repairs, White Plains Complex (2021-2025) and Capital Project B0115 - Infrastructure Rehabilitation, Mount Vernon District Office (2021-2025) for 2021.

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

On motion of Majority Leader Shimsky the above item was received, filed and referred to the committee(s) listed above. The motion carried unanimously.

4. [ACT-2021-BOND ACT-Heavy Equipment \(B035E & RGP13\)](#)
[13](#)

A BOND ACT authorizing the issuance of ONE MILLION, SIX HUNDRED THOUSAND (\$1,600,000) DOLLARS in bonds of Westchester County to finance Capital Projects B035E - Equipment Replacement Program (2021-2025) and RGP13 - General Infrastructure - Vehicle Replacement (2021-2025) for 2021.

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

On motion of Majority Leader Shimsky the above item was received, filed and referred to the committee(s) listed above. The motion carried unanimously.

5. [ACT-2021-BOND ACT-Mass Transit Vehicles \(T001U & T001Y\)](#)
[14](#)

A BOND ACT authorizing the issuance of FOUR MILLION, SEVEN HUNDRED FIFTY THOUSAND (\$4,750,000) DOLLARS in bonds of Westchester County to finance Capital Project T001U - Replacement of Thirty-Foot Buses and T001Y - Replace Orion Forty-Foot Coach Buses for 2021.

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

On motion of Majority Leader Shimsky the above item was received, filed and referred to the committee(s) listed above. The motion carried unanimously.

6. [ACT-2021-BOND ACT-Structure Rehabilitation \(BCR56 & B0117\)](#)
[22](#)

A BOND ACT authorizing the issuance of TWO MILLION, NINE HUNDRED THOUSAND (\$2,900,000) DOLLARS in bonds of Westchester County to finance Capital Project BCR56 - F-Unit Roof Replacement and B0117 - Infrastructure Rehabilitation, 450 Saw Mill River Road, Ardsley (2021-2025) for 2021.

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

On motion of Majority Leader Shimsky the above item was received, filed and referred to the committee(s) listed above. The motion carried unanimously.

7. **ACT-2021-23 BOND ACT-Design (BCR61, RB04D, RB04E, RB04C, RB03Z, BLR12, BPF40)**

A BOND ACT authorizing the issuance of bonds of Westchester County in the total aggregate amount of SIX MILLION, ONE HUNDRED THOUSAND (\$6,100,000) DOLLARS to finance the following seven Capital Projects for 2021: BCR61-Parking Structure Infrastructure Improvements, RB04D-Park Avenue Viaduct Over Bronx River Parkway, Yonkers (BIN 3348850), RB04E-Austin Avenue Bridge Over I-87, Yonkers (BIN 3368150), RB04C-Lincoln Avenue Bridge Over Blind Brook, Rye Brook (BIN 3348490), RB03Z-Pump House Over Peekskill Hollow Brook, Cortlandt (BIN 3348430), BLR12-Labs & Research Facility Rehabilitation and Upgrade and BPF40 Michaelian Office Building Parking Garage Rehabilitation.

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

On motion of Majority Leader Shimsky the above item was received, filed and referred to the committee(s) listed above. The motion carried unanimously.

8. **2021-38 BOND ACT -Furnishings & Equipment (BDA02, BIT4C, BIT6D, BIT44, BIT47, BIT49, BIT54, BIT45, BIT40, T0045, BLR2E, B015E)**

A BOND ACT authorizing the issuance of TEN MILLION, FIVE HUNDRED FIFTEEN THOUSAND (\$10,515,000) DOLLARS in bonds of Westchester County to finance the following 12 Capital Projects for 2021: BDA02-Information Technology (2020-2024), BIT4C-Employee Productivity Systems (2018-2022), BIT6D-Purchase of Computer Equipment (2021-2025), BIT44-Telecommunications Replacement Equipment, BIT47-Network and Security Infrastructure Upgrades (2020-2024), BIT49-Police Record Management System Upgrade, BIT54-Critical Communication Logging System Replacement (2021-2025), BIT45-Building Access Control and Video Surveillance Systems Upgrade, BIT40-Westchester County Basemap Update-Phase 2, T0045-Replace Bus Wash at the Cerrato Maintenance Facility, BLR2E-Labs and Research Equipment Acquisition (2021-2025), B015E-Interior Infrastructure Repairs, White Plains Complex (2021-2025).

COMMITTEE REFERRAL: COMMITTEES ON BUDGET &

APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

On motion of Majority Leader Shimsky the above item was received, filed and referred to the committee(s) listed above. The motion carried unanimously.

SI-9. ACT-2021-IMA-Prisoner Transportation-Peekskill
24

AN ACT authorizing the County to enter into an Intermunicipal Agreement with the City of Peekskill in order to provide reimbursement for prisoner transportation to the Westchester County Jail.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

On motion of Majority Leader Shimsky the above item was received, filed and referred to the committee(s) listed above. The motion carried unanimously.

SI-10. ACT-2021-Bond Act--SY048-Yonkers Joint Treatment Plant Bulkhead Rehab.
17

A BOND ACT authorizing the issuance of FIVE MILLION (\$5,000,000) DOLLARS in bonds of Westchester County to finance Capital Project SY048 - Yonkers Joint Treatment Plant Bulkhead Rehabilitation.

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

On motion of Majority Leader Shimsky the above item was received, filed and referred to the committee(s) listed above. The motion carried unanimously.

SI-11. ACT-2021-BOND ACT-S0S85-Sewer System Rehab.-Ossining SSD
18

A BOND ACT authorizing the issuance of SEVEN HUNDRED FIFTY THOUSAND (\$750,000) DOLLARS in bonds of Westchester County to finance Capital Project SOS-85 - Sewer System Rehabilitation - Ossining Sanitary Sewer District.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS TRANSPORTATION

On motion of Majority Leader Shimsky the above item was received, filed and referred to the committee(s) listed above. The motion carried unanimously.

B. COUNTY ATTORNEY**C. LEGISLATORS****D. OTHERS****1. 2021-94 CLERK OF THE BOARD - PW Inventory Records - 2020**

Forwarded from the Clerk of the Board, an itemized listing of all machinery and equipment under the jurisdiction of the Commissioner of Public Works

which has been purchased by the County of Westchester for the maintenance of the County Road System as of December 31, 2020.

COMMITTEE REFERRAL: COMMITTEE ON PUBLIC WORKS & TRANSPORTATION

RESULT: reviewed

II. NOTICES & PETITIONS

SI-1. 2021-121 **Communication - HON. BENJAMIN BOYKIN: Suspension of Rules:**

Forwarding a letter from the Chairman of the Board serving the Clerk of the Board written notice of his intent to suspend County Board Rule 4.1 for the January 25, 2021 Regular Board Meeting.

Submitted by THE CLERK OF THE BOARD-NO COMMITTEE REFERRAL NECESSARY

RESULT: reviewed

III. STANDING COMMITTEES

SI-1. ACT-2021-IMA-Prisoner Transportation-Yonkers 12

AN ACT authorizing the County to enter into an Intermunicipal Agreement with the City of Yonkers in order to provide reimbursement for prisoner transportation to the Westchester County Jail. (formerly MT # 13085)

Submitted by Committees on BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

This ACT - IMAs was overed by Mr. Maher and sent back to the Board of Legislators.due back on 2/8/2021

Aye: Majority Leader Shimsky, Minority Leader Cunzio, Legislator Alvarado, Legislator Barr, Legislator Borgia, Legislator Clements, Legislator Covill, Legislator Gashi, Majority Whip Johnson, Legislator Maher, Legislator Parker, Legislator Smith, Legislator Tubiolo, Legislator Walter, Legislator Williams, Legislator Woodson-Samuels, and Chairperson Boykin

SI-2. ACT-2021-BOND ACT(Amended)-RMF02-Reconstruction of Memorial Field, Mount 7 Vernon

A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of TWO MILLION, SIX HUNDRED SIXTY-SIX THOUSAND (\$2,666,000) DOLLARS to finance Capital Project RMF02 - Reconstruction of Memorial Field, Mt. Vernon for 2021(formerly MT # 13037)

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

Ms. Borgia, Mr. Gashi and Mr. Tubiolo 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 Shimsky, Minority Leader Cunzio, Legislator Alvarado, Legislator Barr, Legislator Borgia, Legislator Clements, Legislator Covill, Legislator Gashi, Majority Whip Johnson, Legislator Maher, Legislator Parker, Legislator Smith, Legislator Tubiolo, Legislator Walter, Legislator Williams, Legislator Woodson-Samuels, and Chairperson Boykin

SI-3. ACT-2021-IMA-Municipalities-Positive Youth Development Programs
8

AN ACT authorizing the County of Westchester to enter into inter-municipal agreements with various municipalities for the provision of positive youth development programs (formerly MT # 13098)

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

Ms. Borgia and Mr. Alvarado presented the report and the ACT - IMAs and moved that the report be received, filed and approved and the ACT - IMAs adopted, which motion carried by the following vote:

Aye: Majority Leader Shimsky, Minority Leader Cunzio, Legislator Alvarado, Legislator Barr, Legislator Borgia, Legislator Clements, Legislator Covill, Legislator Gashi, Majority Whip Johnson, Legislator Maher, Legislator Parker, Legislator Smith, Legislator Tubiolo, Legislator Walter, Legislator Williams, Legislator Woodson-Samuels, and Chairperson Boykin

SI-4. ACT-2021-BOND ACT(Amended)-RMAC3-V.E. Macy Park Site Work
9

A BOND ACT (Amended) authorizing the issuance of additional bonds in the amount of TWO MILLION, TWO HUNDRED THOUSAND (\$2,200,000) DOLLARS in bonds of Westchester County to finance Capital Project RMAC3 - V.E. Macy Park Site Work (formerly MT # 13083)

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

Ms. Borgia, Mr. Gashi and Mr. Tubiolo 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 Shimsky, Minority Leader Cunzio, Legislator Alvarado, Legislator Barr, Legislator Borgia, Legislator Clements, Legislator Covill, Legislator Gashi, Majority Whip Johnson, Legislator Maher, Legislator Parker, Legislator Smith, Legislator Tubiolo, Legislator Walter, Legislator Williams, Legislator Woodson-Samuels, and Chairperson Boykin

SI-5. RES-2021-PH-Sewer District Modification-Add 1 Parcel-Briarcliff Manor**1**

A RESOLUTION to set a Public Hearing on "AN ACT to Modify the Saw Mill Sanitary Sewer District by the Addition of One (1) parcel of Property Located in the Village of Briarcliff Manor." [Public Hearing set for February 8, 2021 at 7:30 p .m.]. (formerly MT # 13079)

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

Ms. Borgia, Mr. Gashi and Ms. Walter presented the report and the RESOLUTION - Public Hearing and moved that the report be received, filed and approved and the RESOLUTION - Public Hearing adopted, which motion carried by the following vote:

Aye: Majority Leader Shimsky, Minority Leader Cunzio, Legislator Alvarado, Legislator Barr, Legislator Borgia, Legislator Clements, Legislator Covill, Legislator Gashi, Majority Whip Johnson, Legislator Maher, Legislator Parker, Legislator Smith, Legislator Tubiolo, Legislator Walter, Legislator Williams, Legislator Woodson-Samuels, and Chairperson Boykin

SI-6. RES-2021-PH-Sewer District Modification-Add 4 Parcels-Briarcliff Manor**2**

A RESOLUTION to set a Public Hearing on "AN ACT to Modify the Ossining Sanitary Sewer District by the Addition of Four (4) parcels of Property Located in the Village of Briarcliff Manor." [Public Hearing set for February 8, 2021 at 7:30 p.m.]. (formerly MT # 13081)

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

Ms. Borgia, Mr. Gashi and Ms. Walter presented the report and the RESOLUTION - Public Hearing and moved that the report be received, filed and approved and the RESOLUTION - Public Hearing adjourned, which motion carried by the following vote:

Aye: Majority Leader Shimsky, Minority Leader Cunzio, Legislator Alvarado, Legislator Barr, Legislator Borgia, Legislator Clements, Legislator Covill, Legislator Gashi, Majority Whip Johnson, Legislator Maher, Legislator Parker, Legislator Smith, Legislator Tubiolo, Legislator Walter, Legislator Williams, Legislator Woodson-Samuels, and Chairperson Boykin

SI-7. ACT-2021-ACT - Enter into Agreement with Tulis & Geiger LLP**10**

AN ACT authorizing the County to retain, at County expense, the law firm of Tulis & Geiger LLP to serve in an "of counsel" capacity to the County Attorney, as needed, in connection with ACME Bus Corp. v. Westchester County Department of Health.

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

Ms. Borgia and Ms. Barr presented the report and the ACT - Enter Into Agreement and moved that the report be received, filed and approved and the ACT - Enter Into Agreement adopted, which motion carried by the following vote:

Aye: Majority Leader Shimsky, Minority Leader Cunzio, Legislator Alvarado, Legislator Barr, Legislator Borgia, Legislator Clements, Legislator Covill, Legislator Gashi, Majority Whip Johnson, Legislator Maher, Legislator Parker, Legislator Smith, Legislator Tubiolo, Legislator Walter, Legislator Williams, Legislator Woodson-Samuels, and Chairperson Boykin

**SI-8. ACT-2021-Lawsuit Settlement - Donahoe v. Bee-Line Bus
11**

AN ACT authorizing the County Attorney to settle the lawsuit of George Donahoe v. Bee-Line Bus System, et. al. in the amount of ONE HUNDRED SEVEN THOUSAND, FIVE HUNDRED (\$107,500) DOLLARS, inclusive of attorney's fees (formerly MT # 13132)

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

Ms. Borgia and Ms. Barr 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 Shimsky, Minority Leader Cunzio, Legislator Alvarado, Legislator Barr, Legislator Borgia, Legislator Clements, Legislator Covill, Legislator Gashi, Majority Whip Johnson, Legislator Maher, Legislator Parker, Legislator Smith, Legislator Tubiolo, Legislator Walter, Legislator Williams, Legislator Woodson-Samuels, and Chairperson Boykin

IV. SPECIAL ORDERS

MOTIONS, RESOLUTIONS & CALL OF THE DISTRICTS

**1. M-RES-20 Memorial Resolutions - 2- 2021
21-2**

HON. CATHERINE BORGIA: Michael Perry, Edith Kates

HON. BENJAMIN BOYKIN: Frank Orfeia, Saul Singer

HON BENJAMIN BOYKIN AND ALL LEGISLATORS: Virginia DiFabio Acquario

HON. KITLEY S. COVILL AND ALL LEGISLATORS: Hon. Ira Clair

HON. MARGARET A. CUNZIO: Louise Carpentieri, Hubert King, Jenny G. Mancini, David D. Allan

HON. MARYJANE SHIMSKY: Peter C. Woods

HON. MARYJANE SHIMSKY AND ALL LEGISLATORS: Dr. Emma Lou Sailors

RESULT: adopted

ADJOURNMENT

On motion of Majority Leader Shimsky, seconded by Minority Leader Cunzio, the Board adjourned at 7:27 PM to meet on February 8, 2021 at 7 PM.