



# 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

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Monday, July 12, 2021

10:00 AM

Committee Room

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### CALL TO ORDER

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

**Please Note: Chairwoman Catherine Borgia will be joining the meeting remotely. Her address will be: Clear View School and Day Treatment Center, 480 Albany Post Road, Briarcliff, NY 10510**

*With a quorum present, Chair Borgia called the meeting to order at 10:14 AM.*

*Others in Attendance: BOL: Colin Smith, MaryJane Shimsky, Kitley Covill, Alessandra Restiano, James Silverberg, Yolanda Valencia BOL Remote (not eligible to vote): Alfreda Williams DPS Remote: Thomas Gleason, William McGuinness PLANNING: Norma Drummond, Dave Kvinge PARKS Remote: Kathy O'Connor, Peter Tartaglia, Ken Uhle LAW: Carla Chaves LAW Remote; David Vutera WCC Remote: Brian Murphy, Stew Glass, Teri Wisell*

**Present:** Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

**Absent:** Legislator Williams

### MINUTES APPROVAL

#### **Monday, June 28, 2021 10AM Minutes**

On motion of Legislator Cunzio, seconded by Committee Vice-Chair Gashi, the minutes were approved. The motion carried unanimously.

### I. ITEMS FOR DISCUSSION

#### 1. [ACT-2021-126](#) **BOND ACT-BPS32-Traffic Noise Detection Pilot Program**

A BOND ACT authorizing the issuance of ONE HUNDRED TWENTY-FIVE THOUSAND (\$125,000) DOLLARS in bonds of Westchester County to finance Capital Project BPS32 - Traffic Noise Detection Pilot Program.

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

**Joint with PWT, PS & EH****Guests: Commissioner Thomas Gleason & Captain William McGuinness- Department of Public Safety**

Commissioner Gleason and Captain McGuinness appeared before the joint committees to discuss capital project BPS32- Traffic Noise Detection Pilot Program. This is a Bond Act in the amount of \$125,000 to finance the cost of a traffic noise detection pilot program, including an acoustical engineering study to determine appropriate noise detection equipment and placement locations to further the end goal of the project of identifying violators of existing noise limits in the Vehicles and Traffic Law.

Commissioner Gleason discussed that in 2020 during COVID, he received a call from Legislator Walter regarding drag racing and traffic noise complaints. She had read about traffic noise detection camera system that was used in London, asking if it was something that could be used here. Commissioner Gleason discussed it is something like a red light camera concept. It would be used to target specific violators on parkways that have a modified exhaust system. Cameras will detect when a vehicle exceeds the legal noise limit, their license plate then scanned and a ticket will be sent in the mail.

Commissioner Gleason did some preliminary research and decided the best way to proceed is to hire an acoustical engineering consultant. Legislator Walter thanked the Commissioner for meeting with her and the noise expert and being able to learn about the negative effects that noise has on people's health. Legislator Walter noted that the number one complaint coming out of the 1st precinct in Yonkers is loud cars. Legislator Smith discussed that the issue is not as prominent in his district but excited to pilot take effect and the program to grow to other parts of the County.

Commissioner Gleason discussed that this program right now is being evaluated on the Bronx River Parkway, which is a County parkway, but acknowledging this is an issue on other parkways. He said once it is underway, they will work in joint efforts with other public safety departments in those municipalities.

On motion of Legislator Maher, 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 Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

**Absent:** Legislator Williams

**2. [ACT-2021-124](#) ACT-Release of EOH WQIP Fund**

AN ACT authorizing the transfer of up to TEN MILLION (\$10,000,000) DOLLARS of the East of Hudson Water Quality Investment Program Fund, for which the County of Westchester is the custodian under the 1997 Watershed Memorandum of Agreement, into a County Trust Account for the purpose of funding a portion of the costs for the "Town of Yorktown Hallocks Mill Sewer District Extension Phase I Project."

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

**Joint with PWT & EH****Guests: Commissioner Norma Drummond and Director of Environmental Planning David Kvinge- Department of Planning**

Commissioner Drummond and Dave Kvinge, Director of Environmental Planning appeared before the committee to discuss the 2 Acts- Release of East of Hudson (EOH) Watershed Quality Investment Program (WQIP) and IMA- Distribute EOH WQIP Fund- Yorktown. The first Act would authorize the release of the EOH WQIP Fund, of which the County serves as the custodian under the New York City Watershed Memorandum of Agreement, in the amount of \$10,000,000. The EOH Funds would be provided to the Town of Yorktown to partially fund the Town's cost as defined in the Watershed MOA. To construct the Phase one of the Town of Yorktown Hallocks Mill Sewer District Extension Phase I Project. The purpose of this project is to construct additional sewer lines in Hallocks Mills Sewer District. The total cost of the project is \$14,300,000 of which \$10,000,000 is being requested from EOH WQIP. The IMA will authorize the County to enter into an inter-municipal agreement (IMA) with the Town of Yorktown. Under the terms of the IMA the County will distribute the \$10,000,000 EOH funds to Yorktown.

The legislation was amended to reflect the approval from the Town of Yorktown completed the environmental review. The committee report and the SEQR were revised with the following language:

*"On July 6, 2021, the Town declared a Negative Declaration with regard to the Project. Planning has further advised that since the Town has undertaken coordinated review and the County was included in the coordinated review process, then, in accordance with Section 617.6(b)(3), no further review will be required by the County. The SEQR documentation is annexed hereto. Your Committee has carefully reviewed the documentation provided by Planning and concurs with this conclusion."*

Chairwoman Borgia asked if the project comes back to be more than \$10,000,000 will the town fund the remainder. Commissioner Drummond noted that the project is at \$14,300,000 so they will have to fund the remainder. Legislator Shimsky asked about the \$1,000,000 that the County is giving the Town, what if they exceed the \$1 million. Do we get reimbursed from the Town? Mr. Kvinge noted the \$1 million is for design, and they will keep track of the receipts so they do not exceed what was given to them. Anything left over will be applied to the construction. Legislator Shimsky asked for an update once the design phase is complete to make sure they have requested the proper funding. Mr. Kvinge stated that the design will not be completed until late next year. Legislator Barr asked of the 660 properties were household incomes were taken in consideration when planning this project and if those areas can afford the increase. Commissioner Drummond said that they did take into consideration, and one of the areas income is considerable lower than the other two; however she noted that those households are on septic and have to pay out a pump out annually so they have that cost already, and if they have failing septic systems or need to replace the system it would cost them much more. Legislator Barr asked if they knew how they were chosen. Mr. Kvinge stated they were chosen purely by financial and technical reason. He said the next phases are going to be more costly and the Town will struggle with that. Legislator Covill asked if there was a way to promote the County Septic Repair Program, which has not gotten a lot of publicity. The County Septic Repair Program is available to assist residents, and Mr. Kvinge said they are just about ready to complete the details of the program and roll it out. Legislator Walter asked that she noticed the fund is coming to an end, and are there plans for requested additional monies. Commissioner Drummond said they will not consider giving us more monies until we complete the projects and use the monies we have left. She noted it is about \$65 million left. Legislator Gashi said he was happy that the Town was pushing forward and there seems to be a plan and in an area based on economic need and physical feasibility, as well as water quality impact.

On motion of Committee Vice-Chair Gashi, seconded by Legislator Tubiolo, 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 Parker, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

**Absent:** Legislator Williams

3. [ACT-2021-125](#) **IMA-Distribute EOH WQIP Fund-Yorktown**

AN ACT authorizing the County of Westchester to enter into an inter-municipal agreement with the Town of Yorktown in order to distribute up to TEN MILLION (\$10,000,000) DOLLARS of the East of Hudson Water Quality Investment Program Fund, for which the County is custodian under the 1997 Watershed Memorandum of Agreement, in order to fund a portion of the costs for the purpose of funding the Town of Yorktown "Hallocks Mill Sewer District Extension Phase I Project."

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

**Joint with PWT & EH**

**Guests: Commissioner Norma Drummond and Director of Environmental Planning David Kvinge- Department of Planning**

*Please refer to item # 2.*

On motion of Committee Vice-Chair Gashi, seconded by Legislator Tubiolo, 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 Parker, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

**Absent:** Legislator Williams

4. [2021-383](#) **BOND ACT-RMS03-Merestead Out Buildings**

A BOND ACT authorizing the issuance of FOUR HUNDRED THOUSAND (\$400,000) DOLLARS in bonds of Westchester County to finance Capital Project RMS03 - Merestead Out Buildings.

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

**Joint with PWT & PR**

**Guests: Commissioner O'Connor & First Deputy Commissioner Tartaglia- Department of Parks, Recreation and Conservation**

*Commissioner O'Connor, First Deputy Commissioner Tartaglia and Ken Uhle appeared before the committees to discuss the Bond Act RMS03- Merestead Out Buildings. This is a Bond Act in the amount of \$400,000 to finance the cost of design of the restoration of the Farm House at the County's Merestead Park located in Bedford and New Castle. The Farm House is a part of the Farmstead at Merestead. It is believed to have been constructed in the early-to-mid- 19th century. The farm House still retains a high level of historic integrity but is in need of restoration. The property is listed on the National Register of Historic places.*

*Design is scheduled to take 9 months to complete and construction is anticipated to take 12 months.*

*First Deputy Commissioner Tartaglia discussed that the house is in very poor condition and the Nation Historic Trust has all the pictures and information regarding the condition of the Farm House. Legislator Maher asked to see additional photos. Legislator Maher also asked if the Department had any idea of projected use for this building once it has been renovated. Mr. Tartaglia said it is too soon to tell what it can be used for, but they are looking at all possibilities including looking for partners. He said it would be a mixed use property within what they are allowed to do. The property is not easy to get to, set off the main road in a neighborhood in Bedford. Legislator Maher asked how much the total restoration would cost. Mr. Tartaglia stated they have an approximate number. He said preliminary estimates are between \$1.2 and \$1.5 million. Legislator Barr asked if the lawsuit has been settled? Mr. Tartaglia said it has not been settled. Legislator Covill discussed the details of the lawsuit. Legislator Maher voted without prejudice (WOP)*

On motion of Committee Vice-Chair Gashi, seconded by Legislator Tubiolo, 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 Parker, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

**Absent:** Legislator Williams

5. [ACT-2021-127](#) **BOND ACT-RGP13-Gen'l Infrast.-Equipment Acquisition '21-'25**

A BOND ACT authorizing the issuance of ONE MILLION (\$1,000,000) DOLLARS in bonds of Westchester County to finance Capital Project RGP13 - General Infrastructure - Equipment Acquisition (2021-2025).

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

**Joint with PWT, PR & EH**

**Guests: Commissioner O'Connor & First Deputy Commissioner Tartaglia- Department of Parks, Recreation and Conservation**

*Commissioner O'Connor, First Deputy Commissioner Tartaglia and Ken Uhle appeared before the committees to discuss the Bond Act RGP13- General Infrastructure - Equipment Acquisition '21-'25. This is a Bond Act in the amount of \$1,000,000 to finance the purchase and installation of senior fitness equipment at various County parks. It was discussed that for the mature adult population, active aging is a tremendously important key to continued physical and emotional health. Besides offering a wide range of activities to increase strength and regain lost agility, it can also promote socialization and increase motivation. The Parks Department will evaluate potential locations and work with consultants to determine the equipment that fits the needs of the park users.*

*Commissioner O'Connor discussed that they are working location to get the most uses, prevent vandalism and be within walking distances of residents. she said they are concentrating on one location at this time. She did discuss that additionally working with the Department of Health they were able to obtain a grant to be installed at Tibbets Brook Park. Legislator Walter discussed that during the pandemic, that many seniors are not able to get together for their programs and socialization indoors and that there was an increased need for*



*outside spaces for them to gather and exercise. She is very excited to see this project move forward.*

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

**Absent:** Legislator Williams

6. [RES-2021-131](#) **PH-Amendment to Lease Agreement-22 Rockledge Avenue, Ossining**

A RESOLUTION to set a Public Hearing on "A LOCAL LAW authorizing the County of Westchester to enter into an amendment to an existing agreement with Urstadt Biddle Properties, Inc. for the lease of space located at 22 Rockledge Avenue, Ossining, New York for Westchester Community College, in order to extend the term of the lease by an additional period of three (3) years and eight (8) months." [Public Hearing set for September 20, 2021 at 7:30 p.m.]. LOCAL LAW INTRO 2021-404.

**Submitted by BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

**Joint with PWT**

**Guests: Assistant County Attorney Carla Chaves, Associate County Attorney David Vutera; Brian Murphy, Vice President, Dean of Administrative Services & CFO, Stewart Glass, Director of Contracting & Procurement and Teri Wisell, Vice President, Workforce Development and Community Education - WCC**

*Assistant County Attorney Carla Chaves, Associate County Attorney David Vutera joined Stewart Glass, Director of Contracting & Procurement, Teri Wisell, Vice President, Work Force Development & Community Education and Brian Murphy, Dean of Administrative Services, CFO and Vice President of Westchester Community College (WCC) to discuss the Local Law - Amendment to Lease Agreement - 22 Rockledge Avenue, Ossining.*

*This is a Local Law that would authorize the County to enter into an amendment to an existing lease agreement dated October 27, 2000, with Urstadt Biddle Properties Inc. for a term that has expired on December 31, 2020. The lease is for a 12, 558 square foot space located at 22 Rockledge Avenue in Ossining. The space is utilized by WCC. They would like to extend the term of the lease for an additional 3 years and 8 months. The Seconded Extended Term will be deemed to commence retroactively on January 1, 2021 and expire on August 31, 2024. The site is used by WCC for health care education purposed and as a training extension site. Ms Chaves appeared before the committee and discussed that this is a "Fourth Amendment" to an existing lease. It will implicate an annual rent of approximately \$235,462 which signifies an increase of about or approximately 8.5% over the prior annual rent. She discussed that with the first 8 months, which is the current year, there is no rent or maintenance charges to be paid to the landlord. This proposed 4th amendment also clarifies that there should be no management fee included in the annual maintenance charges that the landlord charges to the tenants. There is also a 5% cap on annual maintenance charges. In consideration of this lease the landlord has also agreed to make certain improvements.*

*Mr. Vutera discussed a slight change to the committee report. The report was amended to state the following:*

*"Pursuant to Section 104.11.5.e of the County Charter, leases of the property of others for County purposes for terms exceeding ten (10) years may be made only by local law adopted by an affirmative vote of two-thirds (2/3) of all members of the Board of Legislators. Prior to taking any action on the proposed Local Law, your Honorable Board must hold a public hearing pursuant to Section 209.141 (4) of the Laws of Westchester County, and a resolution providing for the hearing is annexed to the legislation. "*

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

**Absent:** Legislator Williams

7. [2021-404](#) **LOCAL LAW-Amendment to Lease Agreement-22 Rockledge Avenue, Ossining**

A LOCAL LAW authorizing the County of Westchester to enter into an amendment to an existing agreement with Urstadt Biddle Properties, Inc. for the lease of space located at 22 Rockledge Avenue, Ossining, New York for Westchester Community College, in order to extend the term of the lease by an additional period of three (3) years and eight (8) months.

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

**Joint with PWT**

**Guests: Assistant County Attorney Carla Chaves, Associate County Attorney David Vutera; Brian Murphy, Vice President, Dean of Administrative Services & CFO, Stewart Glass, Director of Contracting & Procurement and Teri Wisell, Vice President, Workforce Development and Community Education - WCC**

*Please see item #6.*

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

**Absent:** Legislator Williams

## II. OTHER BUSINESS

## III. RECEIVE & FILE

1. [2021-399](#) **HON. MARGARET A. CUNZIO - Saw Mill Sewer Removal - 25 Cecilia Lane, Pleasantville**

Forwarding a Resolution from the Town of Mt. Pleasant requesting removal of the property located at 25 Cecilia Lane, Pleasantville, from the Saw Mill Sewer District.

On motion of Legislator Cunzio, seconded by Legislator Walter, the above item was received, filed, and approved. 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 Parker, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

**Absent:** Legislator Williams

2. [2021-400](#) **CLERK OF THE BOARD - Removal from Westchester County Sewer District - 3830 Purchase Street, Purchase**

Forwarding a Resolution from the Town of Harrison, Village of Harrison requesting the removal of 3830 Purchase Street, Purchase, NY from the Westchester County Sewer District.

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

On motion of Legislator Cunzio, seconded by Legislator Walter, the above item was received, filed, and approved. 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 Parker, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

**Absent:** Legislator Williams

3. [2021-401](#) **CLERK OF THE BOARD - Reinstate Parcel into Peekskill Sanitary Sewer District - East Hill Rd., Cortlandt**

Forwarding a Resolution from the Town of Cortlandt requesting the reinstatement of a parcel located at East Hill Road, Cortlandt, NY into the Peekskill Sanitary Sewer District.

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

On motion of Legislator Cunzio, seconded by Legislator Walter, the above item was received, filed, and approved. 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 Parker, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

**Absent:** Legislator Williams

4. [2021-402](#) **CLERK OF THE BOARD - Reinstatement of Parcel into Peekskill Sanitary Sewer District - 73 South Hill Rd., Cortlandt**

Forwarding a Resolution requesting reinstatement of a parcel of property located at 73 South Hill Road, Cortlandt, NY into the Peekskill Sanitary Sewer District.

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

On motion of Legislator Cunzio, seconded by Legislator Walter, the minutes were received, filed, and approved. 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 Parker, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

**Absent:** Legislator Williams

**ADJOURNMENT**

Moved by Legislator Johnson, seconded by Legislator Boykin, the Committee adjourned at 11:45 AM.