



# Budget & Appropriations

## BOL Meeting Minutes - Final

Committee Chair: Vedat Gashi

800 Michaelian Office Bldg.  
148 Martine Avenue, 8th Floor  
White Plains, NY 10601  
[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

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Monday, March 13, 2023

10:00 AM

Committee Room

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### CALL TO ORDER

Meeting jointly with the Committees on Law & Major Contracts, Public Works & Transportation, and Public Safety

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.

Chairwoman Catherine Borgia will be participating remotely from Clear View School and Day Treatment Center, 480 Albany Post Road, Briarcliff, NY, 10510

*With a quorum present, Chair Gashi called the meeting to order at 10:15 AM.*

*Others in Attendance: GUESTS: \_\_\_\_\_ ; BOL: \_\_\_\_\_*

**Present:** Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo and Committee Vice-Chair Williams Johnson

**Absent:** Legislator Borgia and Legislator Woodson-Samuels

### MINUTES APPROVAL

Wednesday, February 22, 2023 at 10:00 AM Minutes

On motion of Committee Vice-Chair Williams Johnson, seconded by Legislator Pierce, the minutes were approved. The motion carried unanimously.

### I. ITEMS FOR DISCUSSION

1. [2023-76](#) **ACT - Amend Outside Counsel Agreement with the Wicks Group**

AN ACT authorizing the County to retroactively amend an outside counsel agreement with the Wicks Group, PLLC for the provision of various legal services related to the Westchester County Airport, by extending the term of the agreement for an additional six (6) months commencing on January 1, 2023, and by increasing the not-to-exceed cap by an additional FIFTY THOUSAND (\$50,000) DOLLARS.

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

Joint with LMC.

Guest: Law Department

County Attorney John Nonna

*Mr. Nonna said that since we had used the Wicks Group had been the County's aviation counsel for five years, he proposed to extend the agreement for only six months, and then do an RFP at the end of the year to see who else is out there that might possibly provide better service.*

On motion of Legislator Pierce, seconded by Legislator Barr, the above item was signed by committee and referred to Board of Legislators. The motion carried.

2. [2023-80](#) **ACT - Enter into Agreement re: Migi Asset Acquisitions**

AN ACT authorizing the County to retain at County expense the law firm Tulis & Geiger LLP to serve in an "of counsel" capacity to the County Attorney as needed in connection with the matter of Migi Asset Acquisitions, LLC.

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

Joint with LMC.

Guest: Law Department

Deputy County Attorney Justin Adin

*Mr. Nonna and Mr. Adin discussed the item. Legislator Barr mentioned that in a previous matter involving hiring outside counsel for a matter involving bankruptcy court, Mr. Nonna had said he wanted to have the attorneys in the Law Department develop more of an expertise in bankruptcy. She asked if any progress had been made to that end. Mr. Nonna said they had been handling too many other matters to find time to develop separate expertise.*

*Legislator Barr asked how we can put something into place to ensure that we do not enter into deals with Migi in the future. Mr. Nonna said that since this is from the prior administration, we don't know what due diligence the Planning Department did on Migi. He noted that the Planning Department should keep a list of defaults. Mr. Adin said that on a bid, a bidder would have to disclose if they had previously done business with the County, but he is not sure if that applies to a proposal. Mr. Nonna and Mr. Adin suggested that the committees should invite the Planning Department to discuss what systems they have in place, and also have the Law Department attend.*

*Mr. Nonna noted that they are trying to move the responsible bidder law along. It is in currently with the County's Director of Operations, and she wants to discuss it with the construction industry to see if legitimate contractors are comfortable with it.*

On motion of Legislator Tubiolo, seconded by Legislator Barr, the above item was signed by committee and referred to Board of Legislators. The motion carried.

3. [2023-88](#) **BOND ACT(Amended)-BPS28-Emergency Generator Replacement, Public Safety H.Q., Hawthorne**

A BOND ACT (Amended) authorizing the issuance of additional bonds in the amount of FOUR MILLION, ONE HUNDRED SIXTY THOUSAND (\$4,160,000) to finance a component of

Capital Project BPS28-Emergency Generator Replacement, Public Safety Headquarters, Hawthorne.

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

Joint with PWT.

Guests: Department of Public Safety

Captain Frank Donovan

Lieutenant Edward Reich

Sergeant Robert Pavone

Sergeant James Dress

Michael DeFonce-DPWT

*Robert Abbamont from DPW said there is currently one generator, and we are replacing it with two generators with redundant capacity so that so that if one fails or is under maintenance, the other would be available. Legislator Pierce asked that the committee report be updated to reflect that. Capt. Donovan clarified that it is one generator unit with two engines. Mr. Abbamont said that he misspoke, and the replacement is a dual generator with redundant capacity. Legislator Williams Johnson also asked that the capital project fact sheet be changed to include that clarification.*

On motion of Legislator Pierce, seconded by Legislator Smith, the above item was signed by committee and referred to Board of Legislators. The motion carried.

4. [2023-74](#) **IMA(Amend)-Add School Resource Officer-North Salem Central School District**

AN ACT authorizing the County of Westchester to amend an intermunicipal agreement with the North Salem Central School District in order to: (i) assign one (1) additional School Resource Officer to the District for the period from March 17, 2023 through June, 2023, with the District reserving an option to extend the services of the second SRO for the 2023/24 school term, (ii) expand the list of duties each SRO would be responsible for going forward, (iii) include a Data Privacy Plan and Parents' Bill of Rights, and (iv) provide substitute personnel to patrol the schools in the event an SRO is absent for more than three (3) consecutive school days.

**SUBMITTED BY: COMMITTEE ON BUDGET & APPROPRIATIONS**

Joint with PS.

Guests: Department of Public Safety

Captain Frank Donovan

Lieutenant Edward Reich

Sergeant Robert Pavone

Sergeant James Dress

*Captain Frank Donovan, Lieutenant Edward Reich, Sergeant Robert Pavone, Sergeant James Dress, FHR Director Siva Gopalkrishna, and Lou Codella appeared before the Committee to discuss the item.*

On motion of Legislator Pierce, seconded by Legislator Tubiolo, the above item was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

- Aye:** Committee Chair Gashi, Legislator Barr, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo and Committee Vice-Chair Williams Johnson
- Absent:** Legislator Borgia and Legislator Woodson-Samuels
- Away:** Legislator Maher

## II. OTHER BUSINESS

1. [2023-78](#) **HON. CATHERINE BORGIA: Petition for Amendment to the Saw Mill Sewer District-154 South State Rd., Briarcliff Manor**

Forwarding a Resolution from the Village of Briarcliff Manor requesting an amendment to the Saw Mill Sewer District to include property located at 154 South State Road, Briarcliff Manor, NY.

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

On motion of Legislator Maher, seconded by Legislator Barr, the above item was received, filed, and approved. The motion carried.

## III. RECEIVE & FILE

## ADJOURNMENT

Moved by Legislator Tubiolo, seconded by Legislator Pierce, the Committee adjourned at 11:15 AM.