

# Board of Legislators

## BOL Meeting Minutes - Final



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, November 28, 2022**

**7:00 PM**

**Legislative Chambers**

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### Regular Meeting

## CALENDAR 21 (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

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

**Remote:** Legislator Benjamin Boykin  
Legislator MaryJane Shimsky

## MINUTES APPROVAL

November 14, 2022 at 7pm

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio, the minutes were approved. The 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 Shimsky, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Chairwoman Borgia

## PUBLIC COMMENT

*There were 11 speakers.*

## PUBLIC HEARING

### 1. [RES-2022-214](#) PH - Westchester County Redistricting

A Public Hearing on "A LOCAL LAW amending Section 107.31 of the Laws of Westchester County regarding the County Board of Legislators' Districts." [Public Hearing set for November 28, 2022 at 7:30 p.m.]. Local Law Intro: 2022-568.

**SUBMITTED BY: COMMITTEE ON LEGISLATION**

*There were 7 speakers; no other person wishing to be heard, Mr. Johnson declared the public hearing closed and resumed the regular order of business.*

This RESOLUTION - Public Hearing was public hearing held

## UNFINISHED BUSINESS

### 1. [LL Intro: 2022-461](#) LL - Prohibiting the Sale or Distribution of Flavored Tobacco Products

A LOCAL LAW adding a new Chapter 539 of the Laws of Westchester County in relation to prohibiting the sale or distribution of flavored tobacco products.

**SUBMITTED BY: COMMITTEES ON LEGISLATION AND HEALTH**

Legislator Smith and Legislator Williams Johnson presented the report and the LOCAL LAW - Amendment to Local Law and moved that the report be received, filed and approved and the LOCAL LAW - Amendment to Local Law adopted, which motion carried by the following vote:

**Aye:** Majority Leader Johnson, Majority Whip Alvarado, Vice Chairwoman Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce, Legislator Shimsky, Legislator Smith, Legislator Williams Johnson, and Chairwoman Borgia

**Nay:** Minority Leader Cunzio, Legislator Boykin, Legislator Clements, Minority Whip Nolan, Legislator Tubiolo, and Legislator Woodson-Samuels

## I. COMMUNICATIONS

### A. COUNTY EXECUTIVE

#### 1. [2022-583](#) IMA-Anti-Gun Violence Credible Messenger Initiative-Peekskill

AN ACT authorizing the County of Westchester to enter into an inter-municipal agreement with the City of Peekskill, for the purpose of Anti-Gun Violence Credible Messenger Initiative for the period commencing retroactively on October 1, 2022 and expiring on December 31, 2022 for a total amount not-to-exceed TWENTY THOUSAND (\$20,000 ) DOLLARS.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND SENIORS & YOUTH**

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.

2. [2022-587](#) **APPT-Board of Plumbing Examiners-Bartoloni**

A RESOLUTION appointing Christopher Bartoloni as the Code Enforcement Official 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.

3. [2022-588](#) **APPT-Community Services Board-Haagen**

A RESOLUTION appointing Elaine K. Haagen as the Psychiatrist representative member of the Westchester County Community Services Board 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.

4. [2022-589](#) **REAPPT-Police Board-Wishnie**

A RESOLUTION appointing Hon. Richard Wishnie as a member of the Westchester County Police Board for the term October 31, 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.

**B. COUNTY ATTORNEY**

1. [2022-584](#) **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.

**COMMITTEE REFERRAL: COMMITTEES ON 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.

**SI. 2. [2022-593](#) 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.

**COMMITTEE REFERRAL: COMMITTEES ON 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**

**III. STANDING COMMITTEES**

**1. [LL Intro 2022-568](#) LL - Westchester County Redistricting**

A LOCAL LAW amending Section 107.31 of the Laws of Westchester County regarding the County Board of Legislators' Districts.

**SUBMITTED BY: COMMITTEE ON LEGISLATION**

This LOCAL LAW - Amendment to Local Law was overed by Majority Leader Johnson to a date certain (December 6, 2022 at 5 PM).

**SI. 2. [ACT-2022-159](#) ACT-Mortgage Tax Receipts-4-1-22 through 9-30-22**

AN ACT to authorize the Commissioner of the Westchester County Department of Finance to pay Mortgage Tax Receipts to Cities, Towns and Villages.

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

Legislator Gashi presented the report and the ACT and moved that the report be received, filed and approved and the 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 Shimsky, 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-2022-1](#) **Memorial Resolutions 17-2022**  
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HON. BENJAMIN BOYKIN AND ALL LEGISLATORS: Paul Krause Schwarz

HON. MARGARET A. CUNZIO: John J. Pierce, Joseph D. Priolo, Gilda Salhuana

HON. VEDAT GASHI: Joseph A. Knapp

HON. VEDAT GASHI AND ALL LEGISLATORS: Lul Karasnigi

LEGISLATORS JOHNSON AND TUBIOLO AND ALL LEGISLATORS: Jeannie Palazola

HON. ERIKA PIERCE: Joseph P. Kelleher

HON. COLIN SMITH AND ALL LEGISLATORS: Greg Jones

HON. JEWEL WILLIAMS JOHNSON: Robert (Bob) Brunner, Sr.

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

## **ADJOURNMENT**

Next Meeting: December 12, 2022 at 10 am.

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio, the Board adjourned at 9:41 PM to meet on December 12, 2022.