

Legislation

BOL Meeting Minutes - Published Draft



Committee Chair: Colin Smith

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

Monday, September 23, 2024

1:00 PM

Committee Room

Joint with LMC & HP

CALL TO ORDER

Joint with Law & Major Contracts and Budget & Appropriations committees.

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.

Legislator Emiljana Ulaj will be participating remotely from 201 Stockade Drive, Kingston, NY 12401.

Legislator Colin Smith will be participating remotely from 1132 Main Street, Suite 1, Peekskill, NY 10566.

Legislator Margaret Cunzio will be participating remotely from 4401 S. King Highway, Myrtle Beach, SC 29575.

With a quorum present, Chair Smith called the meeting to order at 1:10 a.m.

Others in Attendance: BOL: Legislators: Erika Pierce, Nancy Barr, and Shanae Williams, Legislator Catherine Parker (Remote); Committee Coordinators: Jill Axelrod and Dayana Gomez, Marcello Figueroa, Alie Restiano, Lisa Hochman (Remote); CE's Office: Emily Saltzman; Planning Dept.: Susan Darling and Ted Leimbach; Office of Housing Counsel: George Asante

Present: Legislator Smith, Legislator Nolan, Legislator Woodson-Samuels, Legislator Imamura and Legislator Gashi

Absent: Legislator Boykin and Legislator Tubiolo

Remote: Legislator Ulaj and Legislator Cunzio

MINUTES APPROVAL

Monday, September 16, 2024 at 1:00 p.m.

On motion of Legislator Nolan, seconded by Legislator Imamura, the minutes were approved. The motion carried by the following vote:

Aye: Legislator Smith, Legislator Nolan, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Cunzio, Legislator Imamura and Legislator Gashi

Absent: Legislator Boykin and Legislator Tubiolo

I. ITEMS FOR DISCUSSION

1. [2024-494](#) Legislators Williams and Imamura - Proposed Act Requiring Area Median and Local Area Median Income

Guests: Law Dept.: Justin Adin, Assistant Chief Deputy County Attorney, and Alida Marcos, Assistant County Attorney; Planning Dept.: Susan Darling, Chief Planner and Ted Leimbach, Associate Planner

Ms. Marcos gave an overview of the proposed legislation.

Legislator Williams noted that certain communities are excluded from the median income statistics, and asked for an explanation of why that is and a list of those communities. Mr. Leimbach said that the Planning Department cannot calculate a Local AMI (LAMI) for municipalities where the income estimate is above \$250,000 because the Census Bureau does not provide median income for those municipalities, which are Ardsley, Briarcliff Manor, Bronxville, Larchmont, New Castle, Pelham Manor, Pound Ridge, Rye City, and Scarsdale.

Chair Smith asked if there was anything more the County could do beyond providing information. Mr. Adin responded that it would depend on the source of funds, because many affordable housing projects use federal and state funds and must abide by those guidelines and cannot use LAMI.

Legislator Williams said that when she was on the Yonkers City Council, there was nowhere to get LAMI information for Yonkers. She said if this law is passed, the information will be readily available on the County's website.

Mr. Adin stressed that the proposed legislation does not require the publication of the information on the County's website. Legislator Woodson-Samuels said the information should be published on the website and shared proactively with local planning departments.

Legislative Director Marcello Figueroa said that the act does not call for an annual calculation of LAMI for municipalities; it only calls for the calculation of a local AMI when an affordable housing project is being proposed within a specific municipality. Mr. Leimbach said that it would require a lot more staff time for the Planning Department to put together the statistics for every municipality every year. There was discussion about the feasibility of doing this every five years, which raised further questions

Legislator Williams reiterated her request that the law be amended to include a requirement to publish the information on the Planning Department's website and be provided proactively to municipalities. Chair Smith said further discussion is warranted to determine the scope of the

law and the feasibility of implementing the requests. Legislator Williams agreed that the item should be continued to address these issues.

This COMMUNICATION - Memo of Legislation was continued

II. OTHER BUSINESS

III. RECEIVE & FILE

1. [2024-431](#) REPORT - Westchester County Office of Housing Counsel Implementation Plan

Guest: Office of Housing Counsel: George Asante, Director

Mr. Asante discussed the report with the committee. Legislator Imamura asked about the RFP process and staffing. Mr. Asante said they initially wanted two staff members – a program administrator and administrative assistant. Once they finish drafting the RFPs, they can better determine what the needs are to run a program of this size. He said they have begun drafting a few of the RFPs, and hope to stick to the deadline set forth in the report and hope to have a rollout early next year.

He also said that they want to have eviction prevention and legal services, staffed by some existing providers and members of the private bar, to help with diversionary tactics to bring down the number of filings so they can have attorneys assist with matters in court. They will also seek out law school partnerships to get students interested in this type of work.

Legislator Ulaj asked how the Office of Housing Counsel will verify income, and whether they will withhold services until verification. Mr. Asante said there is no requirement to verify income; people would have to self-report. However, when people are applying for assistance from social services, income is verified, so if the Office of Housing Counsel makes a referral to a partner and they need income verified for any reason, such as financial assistance, that is when they will start seeing if people are reporting income accurately.

Legislator Ulaj also asked how legislators can follow up on cases where constituents have reached out to them for assistance. Mr. Assante said there might be some privacy issues if legislators try to get information on constituents' behalf. He said the Office of Housing Counsel can try to create a calling center or referral system as a way to follow up and make sure people are getting to the agencies they are sent to and getting the services they need.

The meeting can be viewed in its entirety at

https://westchestercountyny.granicus.com/player/clip/7205?view_id=1&redirect=true.

On motion of Legislator Imamura, seconded by Legislator Woodson-Samuels, the above item was received, filed, and approved. The motion carried by the following vote:

Aye: Legislator Smith, Legislator Nolan, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Cunzio, Legislator Imamura and Legislator Gashi

Absent: Legislator Boykin and Legislator Tubiolo

2. [LL-2024-1](#) HON. JAMES NOLAN - Proposed Local Law - Prohibit the Use of Mask or Facial Covering

On motion of Legislator Nolan, seconded by Legislator Gashi, the above item was received, filed, and approved. The motion carried by the following vote:

Aye: Legislator Smith, Legislator Nolan, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Cunzio, Legislator Imamura and Legislator Gashi

Absent: Legislator Boykin and Legislator Tubiolo

ADJOURNMENT

Moved by Legislator Imamura, seconded by Legislator Woodson-Samuels, the Committee adjourned at 2:24 p.m. by the following vote:

Aye: Legislator Smith, Legislator Nolan, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Cunzio, Legislator Imamura and Legislator Gashi

Absent: Legislator Boykin and Legislator Tubiolo

DRAFT