

# Rules

## BOL Meeting Minutes - Final



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

Committee Chairs: Jose Alvarado & Margaret Cunzio

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**Tuesday, July 11, 2023**

**4:00 PM**

**Committee Room**

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### CALL TO ORDER

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. *With a quorum present, Co-Chair Cunzio called the meeting to order at 4:07 PM.*

*Others in Attendance: GUESTS: Stacey Dolgin-Kmetz, Justin Adin BOL: Ben Boykin, Dylan Tragni, James Silverberg, Marcello Figueroa, Lisa Hochman, Santiago Caceres*

**Present:** Committee Co-Chair Cunzio, Legislator Barr, Legislator Gashi and Alvarado

### MINUTES APPROVAL

#### I. ITEMS FOR DISCUSSION

1. [2023-313](#) **HON. VEDAT GASHI: Request for Investigation**

Forwarding correspondence requesting that the Rules Committee conduct an investigation into the residence of a County Legislator.

**COMMITTEE REFERRAL: COMMITTEE ON RULES**

Guests: Law Department

Chief Deputy County Attorney Stacey Dolgin-Kmetz

Deputy County Attorney Justin Adin

*Chairman Gashi noted the meeting was called because a report by the Yonkers Inspector General's, as well as the publicly available information, questioned the residency of the County Legislator for the 16th District. Chair Gashi stated that sufficient information was not readily available to assess the allegations against the Legislator. As such, the Board of Legislators is compelled to initiate an investigation.*

*Deputy County Attorney Justin Adin explained that the Committee could proceed with the investigation on its own or hire an outside entity. Mrs. Dolgin-Kmetz clarified that if it is found that a legislator lives outside their district, the seat is automatically vacated. Vice-Chair Barr noted the Inspector General's report did not specifically address the question related to the Legislator's residency. Mrs. Dolgin-Kmetz explained that the Inspector General's investigation focused on the City of Yonkers affordable housing rules and whether those rules were*

violated. Vice-Chair Barr stated that based on that report and news reports related to this matter, the Law Department is being consulted to find out if there is an obligation on the BOL to further investigate.

Vice-Chair Barr motioned to go into executive session for the purpose of receiving legal advice from the Law Department, the motion was seconded by Majority Leader Alvarado and passed 4-0. The Rules Committee entered executive session at 4:14 PM. On a motion by Chair Gashi and seconded by Majority Leader Alvarado, the Rules Committee came out of executive session at 4:45 PM with a vote of 4-0.

Mr. Adin stated that one part of this leads to the question of outside counsel, does the Committee want to pick a consultant?

Do they want referrals from the County Attorney? Do they want the County Attorney to pick and retain a consultant?

In response to questions asked by Mr. Adin, Chair Gashi stated that under the circumstances, it would be best for the County Attorney's Office to select a consultant that they deem appropriate. Minority Leader Cunzio agreed with Chair Gashi.

Majority Leader Alvarado outlined that the Resolution will approve an investigation and requesting that the County Attorney's Office retain an outside consultant to assist the Rules Committee. Mr. Adin stated that based on the timeline, he hopes that by the end of next week that an outside consultant can be found and selected, who will then review all of the information and come to the Committee to discuss how to proceed. Mr. Adin noted that 30-45 days should be a reasonable timeline. Minority Leader Cunzio noted this resolution will only go through the Rules Committee and will not be voted on by the full BOL. Mr. Adin confirmed and said that unless the amount exceeds \$35,000, it will not need to through Acquisitions & Contracts.

Mr. Adin read the resolution into the record.

Minority Leader Cunzio explained that the Committee will vote on creating this resolution. Minority Leader Alvarado motioned and Chair Gashi seconded, the vote passed 4-0.

Minority Leader Cunzio called for a motion to approve this resolution. Chair Gashi motioned and Majority Leader Alvarado seconded, the vote passed 4-0.

The resolution can be found on the BOL website or through this link:  
<https://westchestercountyny.legistar.com/LegislationDetail.aspx?ID=6286033&GUID=7E62FEBF-2B01-40E6-B9E5-BF61C3C9BA97&Options=ID|Text|Attachments|&Search=314>

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

## **II. OTHER BUSINESS**

**III. RECEIVE & FILE**

**ADJOURNMENT**

Moved by Legislator Gashi, seconded by Alvarado, the Committee adjourned at 5:03 PM.