

# Legislation Meeting Agenda



Committee Chair: Colin Smith

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, July 28, 2025**

**1:00 PM**

**Committee Room**

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**Joint with B&A, PW&T and L&MC**

## 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.

Legislator Emiljana Ulaj will be participating remotely from 520 White Plains Road, Tarrytown, NY 10591.

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

## MINUTES APPROVAL

Monday, July 21, 2025 at 1:00 p.m.

## I. ITEMS FOR DISCUSSION

1. [2025-316](#) ACT-Requesting Party Status in NYSEG's Electric and Gas Rate Cases Pending Before the NYSPSC

AN ACT authorizing the County of Westchester to request party status in New York State Electric & Gas Corporation's electric and gas rate cases currently pending before the New York State Public Service Commission.

**COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND LAW & MAJOR CONTRACTS**

Joint with L & MC

2. [2025-298](#) PH-Civil Penalty for Theft of Services-Bee-Line Bus System

A RESOLUTION to set a Public Hearing on "A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 643 to provide a civil penalty for the theft of services in relation to Westchester County's Bee-Line Bus System". [Public Hearing set for \_\_\_\_\_, 2025 at \_\_\_\_\_.m.]. LOCAL LAW INTRO: 2025-299.

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

Joint with B & A and PW & T

Guests: Law Dept.: County Attorney John Nonna and Associate County Attorney Jason Whitehead; Budget Dept.: Deputy Budget Director Christina Rampata; DPW&T: Michael Swee, Director of Surface Transportation

**3.     [2025-299](#)     LOCAL LAW-Civil Penalty for Theft of Services-Bee-Line Bus System**

A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 643 to provide a civil penalty for the theft of services in relation to Westchester County's Bee-Line Bus System."

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

Joint with B & A and PW & T

Guests: Law Dept.: County Attorney John Nonna and Associate County Attorney Jason Whitehead; Budget Dept.: Deputy Budget Director Christina Rampata; DPW&T: Michael Swee, Director of Surface Transportation

**II. OTHER BUSINESS**

**III. RECEIVE & FILE**

**ADJOURNMENT**



Kenneth W. Jenkins  
County Executive

July 10, 2025

Westchester County Board of Legislators  
800 Michaelian Office Building  
148 Martine Avenue, 8<sup>th</sup> Floor  
White Plains, New York 10601

Dear Honorable Members of the Board:

I respectfully request that your Honorable Board enact the attached "AN ACT" authorizing the County of Westchester to request party status in New York State Electric & Gas Corporation's electric and gas rate cases currently pending before the New York State Public Service Commission."

The New York State Electric & Gas Corporation ("NYSEG") a regulated utility providing electric and gas services in Westchester County, is currently in the last year of a three-year authorization, to increase rates annually for gas and electric services in the Upstate New York and Westchester region. This increase was authorized by the New York State Public Service Commission ("the Commission") in 2023, leading NYSEG to post significant annual revenue and income gains, while County residents have struggled with necessities.

NYSEG recently submitted a petition to the Commission requesting authorization to increase gas and electric rates starting May 1, 2026. The proposed increase would cause electricity and gas rates to rise by 23.7% and 33.5%, respectively. The Commission will decide on the final rates after a months-long administrative process.

As a part of this administrative process, the Commission allows interested municipalities, like the County, to become parties in a utility company's rate case. Unlike members of the public, parties in a rate case can contribute to the development of a complete record in a proceeding by conducting discovery, submitting testimony and other formal written comments, and participating in evidentiary hearings and conferences. Accordingly, to best advocate on behalf of County residents, it is necessary for Westchester County to request party status in NYSEG's electric and gas rate cases currently pending before the Commission (25-E-0375 and 25-G-0378).

In light of the aforementioned, I respectfully urge that your Honorable Board adopt the attached Act.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth W. Jenkins", written over a horizontal line.

Kenneth W. Jenkins  
County Executive

KWJ/nn  
Enclosure

Office of the County Executive  
Michaelian Office Building  
148 Martine Avenue  
White Plains, New York 10601

Telephone: (914) 995-2900

TO: HONORABLE BOARD OF LEGISLATORS  
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act, which if enacted by your Board, would authorize the County of Westchester (the "County") to request party status in New York State Electric & Gas Corporation's ("NYSEG") electric and gas rate cases pending before the New York State Public Service Commission ("the Commission") (25-E-0375 and 25-G-0378).

Your Committee is aware that NYSEG, a regulated utility providing electric and gas services in Westchester County, is currently in the last year of a three-year authorization, to increase rates annually for gas and electric services in the Upstate New York and Westchester region. This increase was authorized by the Commission in 2023 and came shortly after the Commission authorized three years of increases in 2019. Over this six-year period, NYSEG has posted significant annual revenue and income gains, while County residents have struggled with necessities.

Your Committee is informed that NYSEG recently submitted a petition to the Commission requesting authorization to increase gas and electric rates starting May 1, 2026. The proposed increase would cause electricity and gas rates to rise by 23.7% and 33.5%, respectively. The Commission will decide on the final rates after a months-long administrative process.

Your Committee is advised that the Commission allows interested municipalities, like the County, to become parties in a utility company's rate case. Unlike members of the public, parties in a rate case can contribute to the development of a complete record in a proceeding by conducting discovery, submitting testimony and other formal written comments, and participating in evidentiary hearings and conferences.

Your committee has determined that to best advocate on behalf of County residents, it is necessary for Westchester County to request party status in NYSEG's electric and gas rate cases (25-E-0375 and 25-G-0378).

Your Committee, after careful consideration of the subject matter, recommends adoption of this Act and recommends authorizing the County to submit the necessary forms and documentation to request party status in NYSEG's electric and gas rate cases pending before the Commission (25-E-0375 and 25-G-0378).

An affirmative vote of the majority of the Board is required to pass this legislation.

Dated: July \_\_, 2025  
White Plains, New York

COMMITTEE ON

ACT NO. \_\_\_\_ - 2025

AN ACT authorizing the County of Westchester to request party status in New York State Electric & Gas Corporation's electric and gas rate cases currently pending before the New York State Public Service Commission.

BE IT ENACTED by the Board of Legislators of the County of Westchester, as follows:

Section 1. The County of Westchester is hereby authorized to request party status in New York State Electric & Gas Corporation's electric and gas rate cases currently pending before the New York State Public Service Commission (25-E-0375 and 25-G-0378).

§ 2. The County of Westchester, through a duly designated representative, is hereby authorized to submit the necessary forms and documentation to request party status in in New York State Electric & Gas Corporation's electric and gas rate cases currently pending before the New York State Public Service Commission (25-E-0375 and 25-G-0378).

§ 3. Effective date. This Act shall take effect immediately.





**Kenneth W. Jenkins**  
County Executive

July 14, 2025

Westchester County Board of Legislators  
Michaelian Office Building  
148 Martine Avenue, 8th Floor  
White Plains, New York 10601

Dear Honorable Members of the Board:

I respectfully request that your Honorable Board adopt the attached "A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 643 to provide a civil penalty for the theft of services in relation to Westchester County's Bee-Line Bus System" ("Bee-Line").

Bee-Line's mission is to facilitate the efficient and economical movement of people through a balanced and environmentally sensitive transportation system. According to a 2025 report by the Westchester County Department of Public Works and Transportation, the Bee-Line has an average daily ridership of 85,000, and serves well over 3,000 bus stops, touching the lives of many of Westchester's residents.

For some time now, the Bee-Line has experienced a large number of fare violations (non-payment). This has been caused by both confusions over the free bus program over the summer, and also malfeasance. Regardless of the cause, fare evasion weakens the financial health of Westchester County and encourages unlawful behavior on the Bee-Line buses.

Under New York State law, individuals who do not pay the fare can be charged with Theft of Services, in violation of Section 165.15 of the New York State Penal Law ("Penal Law"), which is a Class "A" Misdemeanor. However, the County is seeking to invoke its power under the Laws of Westchester County to create a civil penalty, as opposed to using criminal proceedings, especially where the majority of the violations are being committed by students and passengers who may be financially unable to pay the fare. Westchester County is taking this course of action because it strongly opposes the criminalization of poverty, and is working hard to reduce youth interactions with the criminal justice system.

This proposed legislation will encourage fare compliance and enhance overall safety aboard Bee-Line buses; we do not seek use the Penal Law to criminalize non-compliance. Accordingly, the proposed amendment adds a new Chapter to the Laws of Westchester County, which establishes a civil penalty of \$50 for the non-payment of a fare, that will increase to \$100 for every subsequent violation. The proposed amendment also authorizes County and local law enforcement to issue appearance tickets to violators, who could simply pay a fine or appear in a local court to answer the ticket.

**Office of the County Executive**  
**Michaelian Office Building**  
148 Martine Avenue  
White Plains, New York 10601

**Telephone: (914) 995-2900**

In light of the aforementioned, I respectfully urge that your Honorable Board adopt the attached Act.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Jenkins', with a long horizontal flourish extending to the right.

Kenneth Jenkins  
County Executive

Enclosure



TO: HONORABLE BOARD OF LEGISLATORS  
COUNTY OF WESTCHESTER

Your Committee has reviewed the attached, “A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 643 to provide a civil penalty for the theft of services in relation to Westchester County’s Bee-Line Bus System.”

Your Committee recognizes that Bee-Line’s mission is to facilitate the efficient and economic movement of people through a transportation system that supports the environment and meets the diverse needs of Westchester’s residents. According to a 2025 report by the Westchester County Department of Public Works and Transportation, the Bee-Line has an average daily ridership of 85,000 people. The Bee line features more than 3,000 bus stops, directly and indirectly impacting all of Westchester’s residents by connecting us to New York City and expanding available economic opportunities in corners of the County which are otherwise difficult to reach.

Your Committee is advised that, under New York State law, individuals who do not pay the fare can be charged with Theft of Services, in violation of Section 165.15 of the New York State Penal Law (“Penal Law”), which is a Class “A” Misdemeanor. The goal of this proposed legislation is to create a civil penalty, as opposed to utilizing existing criminal proceedings; we find this course of action advisable as the majority of fare violations are being committed by students and passengers who may be financially unable to pay the fare.

Your Committee is advised that enforcing a criminal penalty for evading \$2.75 fares through the criminal justice system is likely to have serious consequences for the County. Only 26% of juveniles arrested ended up graduating from high school; worse, those convicted of a Misdemeanor will struggle to get into college, struggle to secure reliable employment, and struggle to secure housing they can

afford. Failing out of high school, or uniform rejection from colleges, jobs and housing will virtually ensure a young person will reoffend – meaning that even one Misdemeanor can uproot a life.

Your Committee is further advised that the purpose of this legislation is to encourage fare compliance and enhance overall safety aboard Bee-Line buses; we do not seek to use the Penal Law to criminalize non-compliance. Accordingly, the proposed amendment adds a new Chapter to the Laws of Westchester County, which establishes a civil penalty of \$50 for the non-payment of a fare, that will increase to \$100 for every subsequent violation. This proposed amendment also authorizes County and local law enforcement to issue appearance tickets to violators, who could simply pay a fine or appear in a local court to answer the ticket.

As you know, this Honorable Board must comply with the requirements of the State Environmental Quality Review Act (“SEQRA”). The proposed act does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 14, 2025, which is on file with the Clerk of the Board of Legislators.”

Your Committee, after careful consideration, recommends the adoption of this a local law amending the Laws of Westchester County by adding a new Chapter 643 to provide a civil penalty for the theft of services in relation to Westchester County’s Bee-Line Bus System.

Dated: \_\_\_\_\_, 2025  
White Plains, New York

COMMITTEE ON

# FISCAL IMPACT STATEMENT

SUBJECT: Theft of Service on Bee-Line Bus Syst

☐ NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense TBD

Total Current Year Revenue TBD

Source of Funds (check one): ☐ Current Appropriations ☐ Transfer of Existing Appropriations

☐ Additional Appropriations ☐ Other (explain)

Identify Accounts: \_\_\_\_\_

Potential Related Operating Budget Expenses: Annual Amount TBD

Describe: There will be additional cost incurred to have County Police perform enforcement on the buses. This additional cost will depend on how many officers are dedicated for this duty.

Potential Related Operating Budget Revenues: Annual Amount TBD

Describe: It is likely that the imposition of civil penalties for non payment of bus fare will result in greater compliance and therefore an increase in fare collections. Currently it is estimated that fare evasion is costing the County \$1 million per month in lost revenue.

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: \_\_\_\_\_

Next Four Years: \_\_\_\_\_

Prepared by: Larry Soule

Title: Budget Director

Department: Budget

Date: July 9, 2025

Reviewed By: [Signature]  
Budget Director

Date: 7/16/25

**RESOLUTION NO. \_\_\_\_ – 2025**

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. \_\_\_\_ - 2025, entitled, “A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 643 to provide a civil penalty for the theft of services in relation to Westchester County’s Bee-Line Bus System.” The public hearing will be held at \_\_\_\_m. on the \_\_\_\_ day of \_\_\_\_\_, 2025 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 643 to provide a civil penalty for the theft of services in relation to Westchester County's Bee-Line Bus System.

BE IT ENACTED by the County Board of the County of Westchester as follows:

**Section 1.** A new Chapter 643 is hereby added to the Laws of Westchester County as follows:

**Chapter 643**

**THEFT OF SERVICES ON COUNTY'S BEE-LINE BUS SYSTEM**

**Sec. 643.01. Purpose.**

**Sec. 643.21 Definitions.**

**Sec. 643.31. Entry; Payment of fare.**

**Sec. 643.41. Enforcement and penalty**

**Sec. 643.51. Severability.**

**Sec. 643.01. – Purpose**

The purpose of this Chapter is to deter the non-payment of fares in relation to the Bee-Line Bus System which is owned and operated by Westchester County. The County seeks to achieve that deterrence through the implementation of a civil penalty as an alternative to using the New York State Penal Law to criminalize non-compliance.

**Sec. 643.21. – Definitions.**

- a. County shall mean Westchester County.
- b. Bee-Line shall mean the bus transportation system, known as the Bee-Line System, Bee-Line Bus System, or Bee-Line Transit Service, which is owned and operated by the County.
- c. Fare means the lawful charges established by the County for use of the Bee-Line.

- d. Fare media means the various instruments issued by or on behalf of the Bee-Line to use for the payment of fare, including, but not limited to, United States coins and currency, OMNY, MetroCards, farecards, passes, transfers, tickets, and vouchers.

**Sec. 643.31. – Entry; payment of fare**

It shall be unlawful for any person to: (1) attempt to or obtain Bee-Line service without payment of the fare therefor; (2) avoid payment of the fare for such transportation service which has been rendered to them; (3) obtain or attempt to obtain such service or avoid or attempt to avoid payment therefor by force, intimidation, stealth, deception or mechanical tampering of fare media or fare collection device; or (4) unjustifiably fail or refuse to pay a fare.

**Sec. 643.41. – Enforcement and penalty.**

1. Violators of this Chapter may be issued appearance tickets by police officers of the Westchester County Department of Public Safety and municipal police departments within the County. Such appearance tickets shall be returnable in the local court of the jurisdiction where the violation occurred.

2. Any person who violates this Chapter shall be guilty of an offense and shall, upon conviction, be subject to a civil penalty not exceeding \$50 for the first offense and not exceeding \$100 for the second offense and all subsequent offenses.

**Sec. 643.41. – Severability.**

If any word, phrase, clause, sentence, paragraph, section, or part of this Chapter shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.



**Section 2. Effective Date.** This Local Law shall take effect immediately.

jsw/ew 7-7-25