



Budget & Appropriations

BOL Meeting Minutes - Final

Committee Chair: Jewel Williams Johnson

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

Monday, June 12, 2023

10:00 AM

Committee Room

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

With a quorum present, Chair Williams Johnson called the meeting to order at 10:18 AM.

Others in Attendance: BOL: James Silverberg, Beth LoBello, Jill Axelrod, Greg Casciato

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

Absent: Legislator Smith

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [ACT-2023-110](#) **ACT - Lawsuit Settlement of Bonds v. Westchester County**

AN ACT authorizing the County of Westchester to settle the lawsuit of Etonya Bonds v. Westchester County in the amount of ONE HUNDRED THOUSAND (\$100,000) DOLLARS, inclusive of attorney's fees.

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

Joint with LMC.

Guest: Law Department

Senior Assistant County Attorney Loren Zeitler

Senior Assistant County Attorney Loren Zeitler appeared before the Committee to discuss the item. Vice Chair Barr motioned that the Committee enter Executive session. Legislator Woodson-Samuels seconded, and the Committee went into executive session at 11:07 AM.

With a motion by Legislator Woodson-Samuels and seconded by Vice Chair Barr, the Committee came out of executive session at 11:25 AM.

On motion of Legislator Woodson-Samuels, 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 Williams Johnson, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

Absent: Legislator Smith

2. [ACT-2023-111](#) **ACT - Compromise of Claim - "M.B."**

AN ACT authorizing the County of Westchester to compromise its right to be reimbursed for health care and wage benefits paid to or on behalf of a County employee from a settlement of his legal action against a third-party tortfeasor.

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

Joint with LMC.

Guest: Law Department

Associate County Attorney Sean Carey

Associate County Attorney Sean Carey appeared before the Committee to discuss the item.

On motion of Legislator Woodson-Samuels, 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 Williams Johnson, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

Absent: Legislator Smith

3. [ACT-2023-112](#) **ACT - Settlement of Workers' Comp. Benefits - "A.P."**

AN ACT authorizing the County Attorney and the Commissioner of Finance to compromise the liability of the County of Westchester and pay a reduced lump sum to a former County employee in lieu of future payments.

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

Joint with LMC.

Guest: Law Department

Associate County Attorney Sean Carey

Associate County Attorney Sean Carey appeared before the Committee to discuss the item.

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

Aye: Committee Chair Williams Johnson, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

Absent: Legislator Smith

4. [ACT-2023-121](#) **ACT - Agreement Amendment with Stephen Einstein & Assoc., P.C. re Legal Collection Services**

AN ACT authorizing the County of Westchester to amend an agreement with the law firm of Stephen Einstein & Associates, P.C. to provide legal collection services to the County of Westchester in an "of Counsel" capacity to the County Attorney in connection with the recovery of delinquent student accounts at Westchester Community College for the term June 1, 2013 through May 31, 2021, in order to extend the term from June 1, 2021 through May 31, 2023 and to change the name of the firm to Tromberg, Morris & Poulin, PLLC, effective as of June 1, 2021.

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

Joint with LMC.

Guest: Law Department

Senior Assistant County Attorney Daniela Infield

Senior Assistant County Attorney Daniela Infield appeared before the Committee to discuss the item.

The legislators asked for follow-up on several questions:

- 1. What is the makeup of the successor firm, Tromberg, Morris & Poulin, PLLC?*
- 2. Why did WCC decide to accept services from the "new firm"?*
- 3. What are the success rates/outcomes for all referred/adjudicated cases?*
- 4. What are WCC's debt collection practices prior to referral of cases to outside counsel?*
- 5. What is the timeline of debt outstanding over the years vs. referrals to counsel?*
- 6. Does outside counsel comply with federal debt collection rules?*

Ms. Infield said she would reach out to WCC for answers to the legislators' questions.

This ACT - Amendment to Agreement was continued

5. [ACT-2023-120](#) **ACT - Amendment Agreement with the Wicks Group re: County Airport**

AN ACT authorizing the County to further 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 from July 1, 2023 until the litigation involving several charter operators has been resolved, or until the County determines, in its sole discretion, to terminate the Agreement, 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

County Attorney John Nonna appeared before the Committee to discuss the item. Vice Chair

Barr motioned that the Committee enter executive session. Legislator Woodson-Samuels seconded, and the Committee went into executive session at 11:27 AM. With a motion by Legislator Pierce and seconded by Legislator Tubiolo, the Committee came out of executive session at 11:34 AM.

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

Aye: Committee Chair Williams Johnson, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

Absent: Legislator Smith

6. [ACT-2023-109](#) **IMA-Source Code Sharing-Nassau County**

AN ACT to authorize the County of Westchester to enter into an inter-municipal agreement with the County of Nassau pursuant to which the County of Nassau will share the source code for its Financial Disclosure System.

SUBMITTED BY: COMMITTEE ON BUDGET & APPROPRIATIONS

B&A Only.

Guests:

Assistant Commissioner Margaret Vlymen-HR

Deputy CIO Aji Palappillil-DolT

Assistant Commissioner Margaret Vlymen from the Department of Human Resources and Deputy Chief Information Officer Aji Palappillil from the Department of Information Technology appeared before the Committee to discuss the item.

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

Aye: Committee Chair Williams Johnson, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

Absent: Legislator Smith

7. [ACT-2023-113](#) **IMA(Amend)-Sixth Grade Leadership Academy-Yonkers**

AN ACT authorizing the County of Westchester to amend ACT 2023-42 to change the expiration date of an inter-municipal agreement with the City of Yonkers, for a Sixth Grade Leadership Academy program from June 30, 2023 to December 31, 2023.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND SENIORS & YOUTH

Joint with SY.

Guests: Youth Bureau

Director Dr. DaMia Harris-Madden

Financial Administrator Bernie Dean

Director Dr. DaMia Harris-Madden and Financial Administrator Bernie Dean from the Westchester County Youth Bureau appeared before the Committee to discuss the item. Dr.

Harris Madden explained to the board due to unforeseen circumstances and delays in the program the municipality has requested additional time to complete the program as planned. The Youth Bureau has determined that it would be in the County's best interest to change the expiration date of the IMA from June 30, 2023 to December 31, 2023 noting that the IMA has not yet been executed.

She also stated that the Sixth Grade Leadership Academy after-school program will be open to current Yonkers Youth who are grade preparing to transition into a new school to complete seventh and eighth grades. The Program aims to teach youth how to develop their authentic self leadership skills to ready them to enter a new middle school.

Legislator Woodson-Samuels wanted it put on record that there was a typo on the Fiscal Impact Statement contract dates. The contracts dates were amended to 6/30/23 - 12/31/23 from 7/1/22 -12/31/23.

On motion of Legislator Woodson-Samuels, 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 Williams Johnson, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

Absent: Legislator Smith

II. OTHER BUSINESS

III. RECEIVE & FILE

1. [2023-225](#) COMM-Gift Acceptance-Mitrione & Sons Machine, Inc.

Forwarded by the County Executive, a copy of his written consent to accept a gift of the Anchor Statue from Mitrione & Sons Machine, Inc. The value of the gift is at least FIFTEEN THOUSAND (\$15,000) DOLLARS and will be installed at Glen Island Park in New Rochelle in honor of parents and loved ones who have lost children.

COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

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

Aye: Committee Chair Williams Johnson, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

Absent: Legislator Smith

ADJOURNMENT

Moved by Legislator Woodson-Samuels, seconded by Legislator Tubiolo, the Committee adjourned at [insert time]. by the following vote:

Aye: Committee Chair Williams Johnson, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

Absent: Legislator Smith

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