



Legislation

BOL Meeting Minutes - Final

Committee Chair: Colin Smith

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

Monday, March 21, 2022

1:00 PM

Committee Room

CALL TO ORDER

Joint with the Committee on Human Services, Human Rights, and Equity

This meeting will be held pursuant to Chapter 1 of the Laws of 2022 and Governor Hochul's Executive Order 11.4, which authorizes any public body "to meet and take such action authorized by law without permitting in public in-person access to meetings and authorize such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed. To access the meeting, please visit: <https://westchestercountyny.legistar.com>

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

Others in Attendance - BOL: Marcello Figueroa, Anand Singh, Elizabeth LoBello

Present: Committee Chair Smith, Legislator Boykin, Legislator Maher and Legislator Shimsky

Absent: Committee Vice-Chair Gashi and Legislator Johnson

Remote: Legislator Barr and Legislator Cunzio

MINUTES APPROVAL

February 25, 2022 at 1:00 PM Minutes

On motion of Legislator Shimsky, seconded by Legislator Maher, the minutes were approved. The motion carried unanimously.

February 28, 2022 at 1:00 PM Minutes

On motion of Legislator Shimsky, seconded by Legislator Maher, the minutes were approved. The motion carried unanimously.

I. ITEMS FOR DISCUSSION

[RES-2022-37](#) PH- Amendments to County Charter re: Language Change for Intellectual and Development Disabilities

A RESOLUTION to set a Public Hearing on a "LOCAL LAW amending various sections of the Laws of Westchester County to change the language used in reference to individuals with intellectual/developmental disabilities and to employ the use of person-centered language." [Public Hearing set for April 11, 2022 at 7:30 p.m.]. LOCAL LAW INTRO: 2022-113.

Submitted by COMMITTEES ON LEGISLATION AND HUMAN SERVICES, HUMAN RIGHTS & EQUITY

Guests: Westchester County Department of Community Mental Health - Commissioner Michael Orth; Westchester County Department of Law - Stacey Dolgin-Kmetz, Chief Deputy County Attorney, Shawna Macleod, Senior Assistant County Attorney
Commissioner Orth thanked the committee for the invitation and spoke about the importance of this legislation and why using the outdated, archaic language was harmful. Ms. Dolgin-Kmetz spoke about the changes to chapter 156 of the charter and chapter 261 of the administrative code which changed the term mental retardation to intellectually disabled, using more person-centric language, and removing negative overtones. Chair Smith thanked them for their work and agreed that these changes were necessary as society no longer defines individuals by their disabilities and this legislation helps to restore the dignity of people. Legislator Shimskey concurred and said this is a person-centered approach and it is worth considering going through other sections of County Law to address other deficiencies such as this. Commissioner Orth agreed and said that often residents don't realize that the Department of Community Mental Health also serve other needs such as individuals battling addiction. Legislator Shimskey asked if this covers things beyond substance abuse and he confirmed it would such as gambling. Chair Smith agreed and cited the example of alcoholism being viewed as a health problem and not an individual's moral failing. Legislator Barr agreed that this is long overdue and would be happy to be involved in any efforts at addressing changes to the County Charter and Administrative Code. Ms. Dolgin-Kmetz cited the Charter Revision Commission as the mechanism that is in place for doing this, before a discussion ensued about constituting the next one. Legislator Boykin asked about the specific changes that were made and Commissioner Orth said that the changes made were consistent the changes made by NYS along with additional ones made by the Department of Law.

On motion of Legislator Shimskey, seconded by Legislator Barr, the above item was signed by committee to the Board of Legislators committee, due back on 3/28/2022. The motion carried by the following vote:

Aye: Committee Chair Smith, Legislator Barr, Legislator Boykin, Legislator Cunzio, Legislator Maher and Legislator Shimskey

Absent: Committee Vice-Chair Gashi and Legislator Johnson

[2022-113](#)

HON. MARYJANE SHIMSKY - LL - Amendments to County Charter re: Language Change for Intellectual and Development Disabilities

A LOCAL LAW amending various sections of the Laws of Westchester County to change the language used in reference to individuals with intellectual/developmental disabilities and to employ the use of person-centered language.

COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND HUMAN SERVICES, HUMAN RIGHTS & EQUITY

Guests: Westchester County Department of Community Mental Health - Commissioner Michael Orth; Westchester County Department of Law - Stacey Dolgin-Kmetz, Chief Deputy County Attorney, Shawna Macleod, Senior Assistant County Attorney
Please see the previous item for discussion on the legislation.

On motion of Legislator Shimskey, seconded by Legislator Barr, the above item was signed by committee to the Board of Legislators committee, due back on 3/28/2022. The motion carried by the following vote:

Aye: Committee Chair Smith, Legislator Barr, Legislator Boykin, Legislator Cunzio, Legislator Maher and Legislator Shimsky
Absent: Committee Vice-Chair Gashi and Legislator Johnson

[RES-2022-35](#) **RESO: HOME RULE-A4017**

A New York State Home Rule Resolution requesting the enactment of Assembly Bill No. 4017/Senate Bill No. 1138 entitled, "AN ACT authorizing the commissioner of general services to convey real property in Westchester county to the county of Westchester."

Submitted by COMMITTEE ON LEGISLATION

Chair Smith spoke about the item regarding the North County Trailway, giving a brief history of the issue, comparing it to the acquisition of the South County Trailway. Legislator Boykin asked if we actually purchased the South County Trailway, which was confirmed to be true and a discussion ensued. Legislator Shimsky asked for clarification regarding a specific clause in the state legislation regarding the dollar amount listed and asked BOL staff to find out about it.

On motion of Legislator Cunzio, seconded by Legislator Boykin, the above item was signed by committee to the Board of Legislators committee, due back on 3/28/2022. The motion carried by the following vote:

Aye: Committee Chair Smith, Legislator Barr, Legislator Boykin, Legislator Cunzio, Legislator Maher and Legislator Shimsky
Absent: Committee Vice-Chair Gashi and Legislator Johnson

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Shimsky, seconded by Legislator Maher, the Committee adjourned at 1:40 PM.