

Board of Legislators

Meeting Agenda



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

Monday, October 16, 2023

7:00 PM

Legislative Chambers

Regular Meeting

CALENDAR 22 (CONSENT)

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.

CALL TO ORDER

MINUTES APPROVAL

October 2, 2023 at 7pm.

PUBLIC COMMENT

Speakers _____

PUBLIC HEARING

1. [2023-315](#) PH-Regulation of Lithium Ion Batteries

A Public Hearing on "A LOCAL LAW amending the Laws of Westchester County for adding a new Chapter 542 concerning the regulation of Lithium Ion Batteries." [Public Hearing set for October 16, 2023 at 7:30 p.m.]. LOCAL LAW INTRO: 2023-316.

SUBMITTED BY: COMMITTEES ON LEGISLATION AND PUBLIC SAFETY

Speakers _____

*Please see Standing Committee Item No. 2023-188 for back-up.

UNFINISHED BUSINESS

I. COMMUNICATIONS

A. COUNTY EXECUTIVE

1. [2023-441](#) **BOND ACT(Amended)-BPL36-Valhalla Complex Site Improvements**

A BOND ACT (Amended) authorizing the issuance of EIGHT HUNDRED THOUSAND (\$800,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL36 - Valhalla Complex Site Improvements.

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

2. [2023-442](#) **BOND ACT-RSP05-Sprain Ridge Pool Building**

A BOND ACT authorizing the issuance of ONE MILLION, SIX HUNDRED FIFTY THOUSAND (\$1,650,000) DOLLARS in bonds of Westchester County to finance Capital Project RSP05 - Sprain Ridge Pool Building.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPOINTMENTS, PUBLIC WORKS & TRANSPORTATION AND PARKS & RECREATION

3. [2023-444](#) **APPT-Fire Advisory Board-Benkwitt, III**

A RESOLUTION appointing Robert R. Benkwitt, III, as a member of the Westchester County Fire Advisory Board for the term August 28, 2023 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

4. [2023-445](#) **APPT-Fire Advisory Board-Santone**

A RESOLUTION appointing Greg Santone as a member of the Westchester County Fire Advisory Board for the term August 29, 2023 to December 31, 2025.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

5. [2023-446](#) **APPT-Council for Seniors-Giuliani**

A RESOLUTION appointing Elio Giuliani as a member of the Westchester County Council for Seniors for the term August 28, 2023 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

6. [62023-447](#) **APPT-Domestic Violence Council-Blais**

A RESOLUTION appointing Ellen Blais as a student member of the Westchester County Domestic Violence Council for the term September 25, 2023 to December 31, 2024.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

7. [2023-453](#) **PH-Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Services Members**

A RESOLUTION to set a Public Hearing on "A LOCAL LAW amending the Laws of Westchester County with respect to a Tax Exemption for Volunteer Firefighters and Volunteer

Ambulance Services Members." [Public Hearing set for _____, 2023 at _____ .m.]. LOCAL LAW INTRO 2023-454.

COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND BUDGET APPROPRIATIONS

8. [2023-454](#) **LOCAL LAW-Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Services Members**

A LOCAL LAW amending the Laws of Westchester County with respect to a Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Services Members.

COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND BUDGET APPROPRIATIONS

SI. 9. 2023-455 **Department of Emergency Services Bond Acts - 2024. BES25, BES26**

A BOND ACT authorizing the issuance of THREE MILLION, TWO HUNDRED THOUSAND (\$3,200,000) DOLLARS in bonds of Westchester County to finance Capital Project BES25 - Replacement of Fire Engine Pumper Truck (\$900,000) and Capital Project BES26 - Mobile Emergency Communications Unit (\$2,300,000).

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

SI. 10. [2023-456](#) **Department of Information Technology Bond Acts - 2024. BIT4D, BIT6D, BIT45, BIT47, BIT53, BIT54, BIT60**

A BOND ACT authorizing the issuance of SIX MILLION (\$6,000,000) DOLLARS in bonds of Westchester County to finance the following Capital Projects: BIT6D - Purchase of Computer Equipment 2021-2025 (\$1,000,000), BIT45 - Building Access Control and Video Surveillance Systems Upgrade (\$2,000,000), BIT4D - Employee Productivity Systems 2023-2027 (\$1,000,000), BIT60 - Telecommunications Equipment/Software Replacement and Upgrade (\$350,000), BIT53 - Business Continuity and Disaster Recovery (\$250,000), BIT47 - Network and Security Infrastructure Upgrades 2020-2024 (\$900,000) and BIT54 - Critical Communication Logging System Replacement 2021-2025 (\$500,000).

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

SI. 11. [2023-457](#) **Department of Labs and Research Bond Act - 2024 BLR2E**

A BOND ACT authorizing the issuance of ONE MILLION, SIX HUNDRED NINETY-TWO THOUSAND (\$1,692,000) DOLLARS in bonds of Westchester County to finance Capital Project BLR2E - Labs and Research Equipment Acquisition (2021-2025).

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

SI. 12. [2023-458](#) **Department of Public Works & Transportation and Department of Parks, Recreation and Conservation Bond Acts - 2024. B035E,**

RGP13

A BOND ACT authorizing the issuance of TWO MILLION, FIVE HUNDRED THOUSAND (\$2,500,000) DOLLARS in bonds of Westchester County to finance Capital Projects B035E - Equipment Acquisition Program (2021-2025) and RGLP13 - General Infrastructure - Equipment Acquisition (2021-2025).

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

SI. 13.2023-459 **Department of Public Safety Bond Acts - 2024. BPS37, BPS39**

A BOND ACT authorizing the issuance of ONE MILLION, FOUR THOUSAND (\$1,004,000) DOLLARS in bonds of Westchester County to finance Capital Projects BPS47 - New Stop DWI Simulator (\$414,000) and BPS39 - Helicopter Airborne Camera (\$590,000).

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

SI. 14.2023-460 **Department of Public Works Bond Acts - 2024. B0115, B0117, B0125-2290**

A BOND ACT authorizing the issuance of FOUR MILLION, SEVEN HUNDRED FIFTY THOUSAND (\$4,750,000) DOLLARS in bonds of Westchester County to finance Capital Projects B0115 - Infrastructure Rehab-Mt. Vernon District Office, B0117 - Infrastructure Rehab-450 Saw Mill River Road, Ardsley and B0125 (2290) - Infrastructure Rehab - Record Center, Elmsford.

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

SI. 15.2023-461 **Department of Public Works and Transportation Bond Acts - 2024. B0125-2291**

A BOND ACT authorizing the issuance of THREE HUNDRED FIFTY THOUSAND (\$350,000) DOLLARS in bonds of Westchester County to finance Capital Project B0125 (2291) Infrastructure Rehab - Record Center Elmsford.

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

SI. 16.2023-462 **Department of Public Works and Transportation Bond Acts - 2024. B0126**

A BOND ACT authorizing the issuance of THREE HUNDRED EIGHTY THOUSAND (\$380,000) DOLLARS in bonds of Westchester County to finance Capital Project B0126 - Generator Systems Replacement, Grasslands Campus.

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

SI. 17.2023-479 **BOND ACT-BPL30-321 Warburton Avenue, Yonkers**

A BOND ACT authorizing the issuance of TWO MILLION, SEVEN HUNDRED THOUSAND (\$2,700,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL 30 -

New Homes Land Acquisition II.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION & HOUSING

SI. 18.2023-480 ACT-Land Acquisition-321 Warburton Avenue, Yonkers

AN ACT authorizing the County of Westchester to provide approximately +/- 0.4 acres of real property located at 305 and 309 Warburton Avenue and 254 Woodworth Avenue in the City of Yonkers and to subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of creating ninety-four (94) affordable senior rental housing units that will affirmatively further fair housing and remain affordable for a period of not less than fifty (50) years.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION & HOUSING

SI. 19.2023-481 BOND ACT-BPL30-136 Croton Avenue, Ossining

A BOND ACT authorizing the issuance of THREE MILLION (\$3,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL30 - New Homes Land Acquisition II.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION & HOUSING

SI. 20.2023-482 ACT-Land Acquisition-136 Croton Avenue, Ossining

AN ACT authorizing the County of Westchester to purchase approximately +/- 0.8 acres (34,848 square feet) of real property located at 136 Croton Avenue in the Village of Ossining and to subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of creating 74 affordable rental units that will affirmatively further fair housing and remain affordable for a period of not less than fifty (50) years.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION & HOUSING

SI. 21.2023-483 BOND ACT-BIT9A, BIT48

A BOND ACT authorizing the issuance of THREE HUNDRED THOUSAND (\$300,000) DOLLARS in bonds of Westchester County to finance the following two Capital Projects: BIT9A-Geographic Information Systems (\$100,000) (2015-2019) (BIT9A) and BIT48 - Computer Aided Dispatch Upgrade (\$200,000) - Police, Fire and EMS (BIT48).

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION & PUBLIC SAFETY

B. COUNTY ATTORNEY

C. LEGISLATORS

D. OTHERS**II. NOTICES & PETITIONS****1. [2023-451](#) CLERK OF THE BOARD - Local State of Emergency Declaration**

Forward by County Executive Latimer, a Local State of Emergency Declaration on September 29, 2023 for the severe storm which created hazardous conditions in the County.

FOR INFORMATIONAL PURPOSES ONLY - NO COMMITTEE REFERRAL NECESSARY

2. [2023-452](#) CLERK OF THE BOARD - Local State of Emergency Rescission

Forwarded by County Executive Latimer, his rescission of the Local State of Emergency issued on September 29, 2023.

FOR INFORMATIONAL PURPOSES ONLY - NO COMMITTEE REFERRAL NECESSARY

SI. 3. [2023-484](#) CLERK OF THE BOARD - Application for Real Property Tax Exemption-Mary the Queen Senior Living

Forwarded by the Clerk of the Board, an Application for Real Property Tax Exemption from the City of Yonkers Industrial Development Agency for Mary the Queen Senior Living, LLC.

FOR INFORMATIONAL PURPOSES ONLY - NO COMMITTEE REFERRAL NECESSARY

SI. 4. [2023-485](#) CLERK OF THE BOARD - Application for Real Property Tax Exemption-115 Elliott LLC.

Forwarded by the Clerk of the Board, an Application for Real Property Tax Exemption from the City of Yonkers Industrial Development Agency for 155 Elliott LLC.

FOR INFORMATIONAL PURPOSES ONLY - NO COMMITTEE REFERRAL NECESSARY

III. STANDING COMMITTEES**1. [2023-292](#) PH - Proposed Additions to Westchester County Agricultural District No. 1**

A RESOLUTION to set a Public Hearing on proposed additions to Westchester County Agricultural District No. 1. [Public Hearing set for _____, 2023 at _____.m.].

COMMITTEE REFERRAL: COMMITTEE ON ENVIRONMENT, ENERGY & CLIMATE

RESOLUTION _____ - 2023 VOTE _____

2. [2023-316](#) LOCAL LAW-Regulation of Lithium Ion Batteries

A LOCAL LAW amending the Laws of Westchester County for adding a new Chapter 542 concerning the regulation of Lithium Ion Batteries.

SUBMITTED BY: COMMITTEES ON LEGISLATION AND PUBLIC SAFETY

Local Law Intro No. 188 - 2023 VOTE _____

3. [2023-378](#) IMA-Summer Youth Employment & Training Services-Municipalities

AN ACT authorizing the County of Westchester to enter into inter-municipal agreements with the cities of Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, Yonkers and White Plains, through their respective youth bureaus, and the Town of Greenburgh through its community center, pursuant to which the municipalities will provide summer youth employment and training services to eligible Westchester youth.

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

ACT _____ - 2023

VOTE _____

4. [2023-408](#) ACT-Amend Various Grant Agreements-NYSOFA-CSE etc.

AN ACT authorizing the County of Westchester to retroactively amend grant agreements with the New York State Office for the Aging to increase funding under the 2023-24 CSE and NY CONNECTS programs, and under the 2022-2024 combined WIN/NSIP programs and to amend Act No. 63-2023 to increase funding allocated for inter-municipal agreements with local municipalities funded by CSE, EISEP and WIN/NSIP grants.

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

ACT _____ - 2023

VOTE _____

5. [2023-423](#) ACT - Lawsuit Settlement Bryant v County of Westchester

AN ACT authorizing the County Attorney to settle the lawsuit of James Bryant v. County of Westchester in the amount of ONE HUNDRED NINETY-FIVE THOUSAND (\$195,000) DOLLARS, inclusive of attorney's fees.

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

ACT _____ - 2023

VOTE _____

6. [2023-434](#) ACT - Lawsuit Settlement - "C.I." v. Hudson View Associates, LLC.

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 personal-injury action.

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

ACT _____ - 2023

VOTE _____

SI. 7. [2023-367](#) BOND ACT(Amended)-RD017-MRF and Transfer Station Rehabilitation

A BOND ACT (Amended) authorizing the issuance of an additional FOURTEEN MILLION, THREE HUNDRED EIGHTY THOUSAND (\$14,380,000) DOLLARS in bonds of Westchester County to finance Capital Project RD017 - Material Recovery Facility and Transfer Station

Rehabilitation.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

BOND ACT _____ - 2023

VOTE _____

SI. 8. [2023-368](#) BOND ACT(Amended)-SSM21-Saw Mill Section B Relief Sewer

A BOND ACT (Amended) authorizing the issuance of an additional THREE MILLION, FIVE HUNDRED THOUSAND (\$3,500,000) DOLLARS in bonds of Westchester County for a total amount of FIFTEEN MILLION (\$15,000,000) DOLLARS to finance Capital Project SSM21 - Saw Mill Section B Relief Sewer.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2023

VOTE _____

SI. 9. [2023-369](#) CBA-SY038-Yonkers Joint TP Engine Replacement & Blower Reconditioning

AN ACT amending the 2023 County Capital Budget Appropriations for Capital Project SY038 Yonkers Joint Treatment Plant Engine Replacement & Blower Reconditioning.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

ACT _____ - 2023

VOTE _____

SI. 10.[2023-370](#) BOND ACT-SY038-Yonkers Joint TP Engine Replacement & Blower Reconditioning

A BOND ACT authorizing the issuance of SIX MILLION, THREE HUNDRED TWENTY THOUSAND, SIX HUNDRED (\$6,320,600) DOLLARS in bonds of Westchester County to finance Capital Project SY038 - Yonkers Joint Treatment Plant Engine Replacement & Blower Reconditioning.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2023

VOTE _____

SI. 11.[2023-373](#) BOND ACT(Amended)-P0027-Bronx River Pkwy. (North of Greenacres Ave) Over Bronx River, Scarsdale

A BOND ACT (Amended) authorizing the issuance of an additional SEVEN MILLION, THREE HUNDRED FIFTEEN THOUSAND (\$7,315,000) DOLLARS in bonds of Westchester County

to finance Capital Project P0027 - Bronx River Parkway (North of Greenacres Ave.) Over Bronx River, Scarsdale.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2023

VOTE _____

SI. 12.2023-374

BOND ACT(Amended)-RB03X-Louisa Street Over Hudson Division Railroad, Peekskill

A BOND ACT (Amended) authorizing the issuance of an additional EIGHT MILLION, TWO HUNDRED FORTY-FIVE THOUSAND (\$8,245,000) DOLLARS in bonds of Westchester County to finance Capital Project RB03X - Louisa Street Over Hudson Division Railroad, Peekskill.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2023

VOTE _____

SI. 13.2023-399

PH - Instituting Actions and Settlement Authority

A RESOLUTION to set a Public Hearing on "A LOCAL LAW amending Section 158.11 of the Laws of Westchester County with respect to instituting actions and settlement authority."

[Public Hearing set for _____, 2023 at _____ .m.]. LOCAL LAW INTRO: 2023-400.

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

RESOLUTION _____ - 2023

VOTE _____

SI. 14.2023-409

CBA-SY057-Replacement of Tarrytown Forcemain-Phase II-And Route 119 Gravity Sewer

AN ACT amending the 2023 County Capital Budget Appropriations for Capital Project SY057 Replacement of Tarrytown Forcemain (Phase II) and Route 119 Gravity Sewer.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

ACT _____ - 2023

VOTE _____

SI. 15.2023-410

BOND ACT-SY057-Replacement of Tarrytown Forcemain-Phase II-And Route 119 Gravity Sewer

A BOND ACT authorizing the issuance of FIVE MILLION (\$5,000,000) DOLLARS in bonds of Westchester County to finance Capital Project SY057 - Replacement of Tarrytown Forcemain (Phase II) and Route 119 Gravity Sewer.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2023

VOTE _____

IV. SPECIAL ORDERS**SI. 1. [2023-486](#) RES - Solidarity with the People of Israel**

Forwarding a Resolution condemning the Hamas Terrorist attacks and supporting the people of Israel.

****Please note: At the direction of the Chairman, this item was placed directly on the Board's agenda for immediate consideration.***

RESOLUTION _____ - 2023

VOTE _____

MOTIONS, RESOLUTIONS & CALL OF THE DISTRICTS**SI. 1. 2023-443 MEMORIAL RESOLUTION 2023-16**

HON. CATHERINE BORGIA: Anthony Gullatta

HON. SYMRA D. BRANDON: Deborah Wallace

HON. MARGARET A. CUNZIO: Christopher Mark Tota, William Henry DeMeo, Sylvester J. Teclaw, Jr.

LEGISLATORS CUNZIO AND PARKER: Attilio Renzo

HON. DAVID J. TUBIOLO: Helen Brady, Paul Romero

ADJOURNMENT

Next Meeting: November 13, 2023 at 7pm.