



Budget & Appropriations

BOL Meeting Minutes - Final

Committee Chair: Vedat Gashi

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

Monday, May 2, 2022

10:00 AM

Committee Room

CALL TO ORDER

Meeting jointly with the Committee on Public Works & Transportation

This meeting will be held pursuant to Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, which authorize 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, Vice-Chair Shimsky called the meeting to order at 10:11 AM.

Present: Legislator Maher, Legislator Pierce, Committee Vice-Chair Shimsky and Legislator Williams Johnson

Absent: Committee Chair Gashi, Legislator Borgia, Legislator Parker and Legislator Smith

Remote: Legislator Barr, Legislator Nolan, Legislator Tubiolo and Legislator Woodson-Samuels

MINUTES APPROVAL

Friday, April 8, 2022 at 10:00 AM Minutes

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

I. ITEMS FOR DISCUSSION

1. [2022-227](#) **PH-Terminate Lease-NY Medical College-Munger Pavilion**

A RESOLUTION to set a Public Hearing on "A LOCAL LAW authorizing the County of Westchester to terminate the lease with New York Medical College for the building known as Munger Pavilion and to enter into a lease agreement for approximately 17.46 acres of County-owned property located in the Grasslands Campus in the Valhalla section of the Town of Mt. Pleasant, NY with New York Medical College, its successors or assigns to create a campus and to authorize New York Medical College to demolish the building know as Munger Pavilion and to construct a new building in its place." [Public Hearing set for _____, 2022 at _____ .m.]. LOCAL LAW INTRO: 2022-228.

COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

B&A Only.

Guests:

Deputy County Executive Kenneth Jenkins and Director of Operations Joan McDonald-CE Office

Assistant Chief Deputy County Attorney Tami Altschiller and Assistant County Attorney J.P. Innace, Sr.-LAW

Deputy County Executive Kenneth Jenkins, Director of Operations Joan McDonald, Assistant Chief Deputy County Attorney Tami Altschiller and Assistant County Attorney J.P. Innace, Sr., appeared before the Committee to discuss the seven items concerning the New York Medical College. DCE Jenkins gave an overview of the project and why the County is seeking to terminate the lease. ACD Altschiller gave a presentation and explained the maps of the campus and which areas needed work and where the construction would be. Vice-Chair Shimsky requested information that will be sent to the Committee in the following days. She suggested that until this information is received that the items should be held. The Committee agreed and the seven items were continued.

This RESOLUTION - Public Hearing was continued

2. [2022-228](#) **LOCAL LAW-Terminate Lease-NY Medical College-Munger Pavilion**

A LOCAL LAW authorizing the County of Westchester to terminate the lease with New York Medical College for the building known as Munger Pavilion and to enter into a lease agreement for approximately 17.46 acres of County-owned property located in the Grasslands Campus in the Valhalla section of the Town of Mt. Pleasant, NY with New York Medical College, its successors or assigns to create a campus and to authorize New York Medical College to demolish the building know as Munger Pavilion and to construct a new building in its place.

COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

B&A Only.

Guests:

Deputy County Executive Kenneth Jenkins and Director of Operations Joan McDonald-CE Office

Assistant Chief Deputy County Attorney Tami Altschiller and Assistant County Attorney J.P. Innace, Sr.-LAW

Please refer to item #1.

This LOCAL LAW was continued

3. [2022-230](#) **ENV RES-Terminate Lease-NY Medical College-Munger Pavilion**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from the proposed action regarding the New York Medical College Lease.

COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

B&A Only.

Guests:

Deputy County Executive Kenneth Jenkins and Director of Operations Joan McDonald-CE Office

Assistant Chief Deputy County Attorney Tami Altschiller and Assistant County Attorney J.P. Innace, Sr.-LAW

Please refer to item #1.

This RESOLUTION - Environmental Resolution was continued

4. [2022-231](#) **PH-Enter Into Lease Agrmnt-NY Medical College**

A RESOLUTION to set a Public Hearing on "A LOCAL LAW amending Section 104.11(5)(f) of the Laws of Westchester County to provide the County of Westchester authority to enter into a lease agreement for approximately 17.46 acres of County owned property located in the Grasslands Campus in the Valhalla section of the Town of Mt. Pleasant, NY with New York Medical College, its successors or assigns, for a term not to exceed ninety-nine (99) years." [Public Hearing set for _____, 2022 at _____ .m.]. LOCAL LAW INTRO: 2022-233.

COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

B&A Only.

Guests:

Deputy County Executive Kenneth Jenkins and Director of Operations Joan McDonald-CE Office

Assistant Chief Deputy County Attorney Tami Altschiller and Assistant County Attorney J.P. Innace, Sr.-LAW

Please refer to item #1.

This RESOLUTION - Public Hearing was continued

5. [2022-233](#) **LOCAL LAW-Enter Into Lease Agrmnt-NY Medical College**

A LOCAL LAW amending Section 104.11(5)(f) of the Laws of Westchester County to provide the County of Westchester authority to enter into a lease agreement for approximately 17.46 acres of County owned property located in the Grasslands Campus in the Valhalla section of the Town of Mt. Pleasant, NY with New York Medical College, its successors or assigns, for a term not to exceed ninety-nine (99) years.

COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

B&A Only.

Guests:

Deputy County Executive Kenneth Jenkins and Director of Operations Joan McDonald-CE Office

Assistant Chief Deputy County Attorney Tami Altschiller and Assistant County Attorney J.P. Innace, Sr.-LAW

Please refer to item #1.

This LOCAL LAW - Amendment to Local Law was continued

6. [2022-234](#) **PH-Amend Lease Agrmnts-NY Medical College**

A RESOLUTION to set a Public Hearing on "A LOCAL LAW authorizing the County of Westchester to amend lease agreements with New York Medical College for the County-owned buildings known as: 1) Sunshine Cottage, 2) Vosburgh Pavilion, and 3) the Old Commissioner's House, located on the Grasslands Campus in the Valhalla section of the Town of Mt. Pleasant, NY." [Public Hearing set for _____, 2022 at _____ .m.].
LOCAL LAW INTRO: 2022-235.

COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

B&A Only.

Guests:

Deputy County Executive Kenneth Jenkins and Director of Operations Joan McDonald-CE Office

Assistant Chief Deputy County Attorney Tami Altschiller and Assistant County Attorney J.P. Innace, Sr.-LAW

Please refer to item #1.

This RESOLUTION - Public Hearing was continued

7. [2022-235](#) **LOCAL LAW-Amend Lease Agrmnts-NY Medical College**

A LOCAL LAW authorizing the County of Westchester to amend lease agreements with New York Medical College for the County-owned buildings known as: 1) Sunshine Cottage, 2) Vosburgh Pavilion, and 3) the Old Commissioner's House, located on the Grasslands Campus in the Valhalla section of the Town of Mt. Pleasant, NY.

COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

B&A Only.

Guests:

Deputy County Executive Kenneth Jenkins and Director of Operations Joan McDonald-CE Office

Assistant Chief Deputy County Attorney Tami Altschiller and Assistant County Attorney J.P. Innace, Sr.-LAW

Please refer to item #1.

This LOCAL LAW - Amendment to Local Law was continued

8. [ACT-2022-51](#) **BOND ACT(Amended)-SY009-Yonkers Joint TP Odor Control & HVAC Upgrades**

A BOND ACT (Amended) authorizing Westchester County to issue additional bonds in the amount of FIFTEEN MILLION (\$15,000,000) DOLLARS to finance a component of Capital Project SY009 - Yonkers Joint Treatment Plant Odor Control and HVAC Upgrades.

Submitted by: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with PW&T.

Guests: Department of Environmental Facilities

Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Capital Program Coordinator Joe Brown

Commissioner Kopicki, Deputy Commissioner Nat Federici, and Associate Construction Engineer Chris Gelardo discussed the item. They said the main focus is adding a high efficiency flare to burn off any gas produced at the plant. They will have turbo blowers which will provide more operational flexibility, and add secondary screening to take out solids from the flow and prevent outages of tanks downstream and protect the pumps that carry the extra solids. Commissioner Kopicki said they are constantly evaluating the plant to see if there is anything else they can do to make a difference.

Legislator Shimsky asked if there is enough to warrant checking the Energy Efficiencies box in the Overall Project Description on the Capital Project Fact Sheet. Commissioner Kopicki said yes, noting that the new blowers are much more efficient than the ones we are using now. He said he will check to see if the committee coordinator can make the change or if he has to do that.

Legislator Shimsky said that the most effective way to deal with the odors is to cover the aeration tanks, but there is a high cost and operational complications if it's not done right. Since 2011, we have done projects as progressive steps that should help and seem to be a good idea for other reasons, as a way to avoid the more expensive projects. We get some benefit, but significant problems remain. She questioned how effective this work is likely to be. Commissioner Kopicki said he thinks it will be highly effective. He does not believe that the aeration tanks are the main source of the odor. He said that sludge handling and dewatering cause most of the bad odors at the plant. Deputy Commissioner Federici agreed that one of the best ways to control odors at a treatment plant is to have it operate effectively, and these steps will do that.

Legislator Alvarado said that his constituents in Yonkers complain that they don't get answers when they call the odor complaint hotline, and said the system needs to be improved. He asked how much the burning of gas will be reduced by the new engines. Commissioner Kopicki said that once they are in place, we will be flaring off substantially less gas than we are right now. We will be burning less gas and the burners are more efficient. You can't totally get rid of the flares because there will always be some gas that needs to be burned off. Deputy Commissioner Federici said the new flares will be enclosed flames so you won't be able to see them.

Legislator Alvarado asked if they were planning to cover the entire plant like what was done in New York City. Commissioner Kopicki said there was never any intent or discussion to entirely cover this plant. There was only discussion about covering aeration tanks. Deputy Commissioner Federici said the North River Plant in New York City, which is south of the Hudson River, put a park on its rooftop but a lot of the tanks are not covered. Legislator Alvarado said they are building a park in Yonkers next to the plant, and wants to ensure the air will be breathable and people can use the park.

Legislator Maher asked how many responsible bidders respond to RFPs for this kind of job, and whether there is a large array of vendors. Commissioner Kopicki said a lot of this is mechanical work, so the general contractor needs to have subcontractors that specialize in that. This type of work is usually done by large contractors. He said that they can't bid for a specific piece of equipment unless they purchase it directly and have the contractor install it, but the specs are written to ensure that the vendors will meet certain requirements for

performance and efficiency. They typically get about five or six bidders or more. It depends on time of year and how many other projects are going on.

Legislator Pierce asked for a cost breakdown. Commissioner Kopicki said he didn't provide it because it was very high level because they didn't start design yet.

Legislator Shimsky said she like to schedule a committee field trip to a wastewater treatment plant this summer. Commissioner Kopicki said they can do it at any plant she chooses.

Legislator Shimsky noted that this is a very large sum of money for something that is essentially at 0% design. She asked if committee members would feel comfortable voting on this today and scheduling a follow-up meeting with DEF once they reach 60% design. Commissioner Kopicki said they told the consultant they want this fast tracked, and should be able to provide that in about four months. Legislator Shimsky asked that DEF provide cost breakdowns at that time, and if committee members have any questions at that point, we can discuss them. Commissioner Kopicki said he will ask them to prepare whatever level estimate they can provide based on what percentage of design we are at in four months.

On motion of Legislator Maher, seconded by Legislator Pierce, the above item was signed by committee. The motion carried by the following vote:

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

Absent: Committee Chair Gashi, Legislator Borgia, Legislator Parker and Legislator Smith

9. [ACT-2022-52](#) **BOND ACT(Amended)-SM018, SM019, SM021, SM030, SM075, SM095**

A BOND ACT (Amended) authorizing the County of Westchester to issue additional bonds in the amount of THIRTY ONE MILLION, FIVE HUNDRED THOUSAND (\$31,500,000) DOLLARS to finance the following six Capital Projects: SM018 - Mamaroneck Water Resource Recovery Facility ("WRRF") - Odor Control and HVAC System Rehabilitation, SM019 - Mamaroneck WRRF Emergency Power Upgrades, SM021 - Mamaroneck WRRF Blower Replacement, SM030 - Mamaroneck WWTP - Roof Replacements, SM075 - Pump Station Rehabilitation Program - Mamaroneck Sanitary Sewer District ("SSD") and SM095 - Pumping Station Rehabilitation Program - Mamaroneck SSD.

Submitted by: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with PW&T.

Guests: Department of Environmental Facilities

Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Capital Program Coordinator Joe Brown

Commissioner Kopicki discussed the item. Deputy Commissioner Federici said the Mamaroneck plant is the treatment plant that most relies on emergency power because it has more frequent outages because of where it is located.

Legislator Barr asked what they have done to make sure the equipment is flood proof.

Commissioner Kopicki said they constantly test all of the emergency standby equipment to

make sure it's operational. Deputy Commissioner Federici said that all of the electrical equipment conforms to FEMA recommended elevations.

Legislator Pierce asked for a prioritized list of projects. Assistant Commissioner Federici said the five-year plan reflects that and is part of the budget book.

Commissioner Kopicki said they always look to incorporate flood mitigation in every project. Legislator Shimsky asked for a copy of the flood mitigation study. Commissioner Kopicki said he will provide it.

On motion of Legislator Williams Johnson, seconded by Legislator Pierce, the above item was signed by committee. The motion carried by the following vote:

Aye: Legislator Barr, Legislator Nolan, Legislator Pierce, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Chair Gashi, Legislator Borgia, Legislator Parker and Legislator Smith

Away: Legislator Maher

10. [ACT-2022-54](#) **BOND ACT-BPL26-1899-Flood Mitigation**

A BOND ACT authorizing the issuance of ONE MILLION, TWO HUNDRED THOUSAND (\$1,200,000) DOLLARS in bonds of Westchester County to finance a component of Capital Project BPL26 - Flood Mitigation.

Submitted by: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with PW&T.

Guest: Department of Planning

Assistant Commissioner David Kvinge

Assistant Commissioner Kvinge discussed the item. Legislator Shimsky asked when you fix a dam versus decommissioning it. He said decommissioning is appropriate if the dam is not functioning for a purpose any longer and would provide additional flood storage capacity if flooding events occur. The city uses the water behind this dam as a part of their drinking water supply system, so eliminating it would cause problems for the city. He said that they look for ways to improve the resiliency of the dams they repair. Here, they will be dredging behind it to increase or restore the storage capacity. The dam will be strengthened as part of the rehabilitation. They will also be clearing and constructing an access road which will facilitate regular maintenance of the dam and the impoundment behind it.

On motion of Legislator Pierce, seconded by Legislator Williams Johnson, the above item was signed by committee. The motion carried by the following vote:

Aye: Legislator Barr, Legislator Nolan, Legislator Pierce, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Chair Gashi, Legislator Borgia, Legislator Parker and Legislator Smith

Away: Legislator Maher

11. [ACT-2022-55](#) **IMA-Flood Mitigation-BPL26-1899-Peekskill**

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the City of Peekskill in connection with a flood mitigation project - Capital Project BPL26, Unique ID#1899.

Submitted by: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with PW&T.

Guest: Department of Planning

Assistant Commissioner David Kvinge

Please refer to item #10.

On motion of Legislator Pierce, seconded by Legislator Williams Johnson, the above item was signed by committee. The motion carried by the following vote:

Aye: Legislator Barr, Legislator Nolan, Legislator Pierce, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Chair Gashi, Legislator Borgia, Legislator Parker and Legislator Smith

Away: Legislator Maher

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Pierce, seconded by Legislator Williams Johnson, the Committee adjourned at 12:49 PM.