



Board of Legislators

BOL Meeting Minutes - Final

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

Monday, May 1, 2023

7:00 PM

Legislative Chambers

Regular Meeting

CALENDAR 10 (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.

CALL TO ORDER

The Honorable Nancy Barr in the Chair.

The Vice Chair opened the meeting at 7:11 PM with the Jewish-American Heritage Celebration. A recess is called at 7:41 PM; the meeting reconvened at 7:50 PM with the salute to our flag and a prayer.

The roll call resulted as follows:

Present: Majority Leader Christopher Johnson
Minority Leader Margaret Cunzio
Vice Chairwoman Nancy Barr
Legislator Benjamin Boykin
Legislator Terry Clements
Chairman Vedat Gashi
Legislator David Imamura
Legislator Damon Maher
Minority Whip James Nolan
Legislator Catherine Parker
Legislator Erika Pierce
Legislator Colin Smith
Legislator David Tubiolo
Legislator Jewel Williams Johnson
Legislator Tyrae Woodson-Samuels
Legislator Catherine Borgia

Absent: Majority Whip Jose Alvarado

MINUTES APPROVAL

April 17, 2023, 7pm - Regular Meeting

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio, the minutes

were approved. The motion carried unanimously.

PUBLIC COMMENT

Speakers: 1

PUBLIC HEARING

1. [RES-2023-53](#) **PH-Office of Housing Counsel**

A Public Hearing on "A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 187 relating to the creation of the Office of Housing Counsel." [Public Hearing set for May 1, 2023 at 7:30 p.m.]. LOCAL LAW INTRO: 2022-262.

SUBMITTED BY: COMMITTEES ON LEGISLATION AND HOUSING

Speakers: 5

No other person wishing to be heard, Majority Leader Johnson declared the public hearing closed. Result: Public Hearing Held

2. [RES-2023-54](#) **PH - For-Hire Vehicle Law Amendment**

A "LOCAL LAW amending Chapter 270 of the Laws of Westchester County to delete provisions in subdivision (3) of section 270.124 with respect to base station owners and a vehicle immobilization program to enforce the provisions of the Westchester County For-Hire Vehicle Law." [Public Hearing set for May 1, 2023 at 7:30 p.m.]. LOCAL LAW INTRO: 2023-149.

SUBMITTED BY: COMMITTEES ON LEGISLATION AND PUBLIC WORKS & TRANSPORTATION

Speakers: 0

No other person wishing to be heard, Majority Leader Johnson declared the public hearing closed. Result: Public Hearing Held

UNFINISHED BUSINESS

1. [ACT-2023-75](#) **ACT - Enter into Agreement with Wilson, Elser, Moskowitz, Edelman & Dicker LLP for Board of Elections re: Guzman v. Westchester County**

AN ACT authorizing the designation and retention of the law firm of Wilson Elser Moskowitz Edelman & Dicker LLP to represent the Westchester County Board of Elections and Commissioners Colety and Nelson in their official capacity, pursuant to the Laws of Westchester County in connection with the matter Guzman v. Westchester County.

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

Legislator Gashi and Legislator Maher presented the report and the ACT - Enter Into Agreement and moved that the report be adopted and the ACT - Enter Into Agreement adopted, which motion was carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Chairman Gashi, Legislator Imamura, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Legislator Borgia

Absent: Majority Whip Alvarado

I. COMMUNICATIONS

A. COUNTY EXECUTIVE

1. [2023-181](#) ACT-Coachman Family Center Storm Water Drainage Pipe Easement

AN ACT authorizing the County of Westchester to accept all necessary property rights from the City of White Plains in connection with the County's construction and on-going maintenance of a subterranean stormwater drainage pipe.

COMMITTEE REFERRAL: COMMITTEE ON PUBLIC WORKS & TRANSPORTATION

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio the above item was received, filed and referred to the committee listed above. The motion carried unanimously.

2. [ACT-2023-94](#) ACT-Revised Investment Policy

AN ACT amending the Investment Policy for the County of Westchester, pursuant to New York State General Municipal Law Section 39.

SUBMITTED BY: COMMITTEE ON BUDGET & APPROPRIATIONS

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio the above item was received, filed and referred to the committee listed above. The motion carried unanimously.

SI. 3. [2023-185](#) IMA-Mandated Preventive Respite Care and Services-Rockland County

AN ACT authorizing the County of Westchester to enter into an Intermunicipal Agreement with Rockland County in order to provide mandated preventive respite care and services to eligible children at risk of foster care placement and their families residing in Rockland County, on a space available basis, for the term commencing on March 1, 2023 and expiring on February 28, 2026.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, HUMAN SERVICES, HUMAN RIGHTS & EQUITY AND HEALTH

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio the above item was received, filed and referred to the committees listed above. The motion carried unanimously.

SI. 4. [2023-186](#) APPT-Commissioner of Human Resources-Denig

A RESOLUTION appointing Lisa M. Denig, Esq. as the Westchester County Commissioner of Human Resources effective April 24, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio the above item was received, filed and referred to the committee listed above. The motion carried unanimously.

SI. 5. [2023-187](#) PH-Establishing a Subcommittee of the African American Advisory Board

A RESOLUTION to set a Public Hearing on "A LOCAL LAW amending Section 277.421 of the Laws of Westchester County to add a provision to establish a Subcommittee of the Westchester County African-American Advisory Board to study the high rates of asthma in communities of color in the County of Westchester." [Public Hearing set for _____, 2023 at _____.m.]. LL Intro: 2023-188.

COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND APPOINTMENTS

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio the above item was received, filed and referred to the committees listed above. The motion carried unanimously.

SI. 6. [2023-188](#) LOCAL LAW-Establishing a Subcommittee of the African American Advisory Board

A LOCAL LAW amending Section 277.421 of the Laws of Westchester County to add a provision to establish a Subcommittee of the Westchester County African-American Advisory Board to study the high rates of asthma in communities of color in the County of Westchester.

COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND APPOINTMENTS

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio the above item was received, filed and referred to the committees listed above. The motion carried unanimously.

SI. 7. [2023-189](#) ACT-Equity in Environmental Legislation Act

AN ACT declaring a policy of equal treatment in the development and enforcement of environmental laws, regulations and policies in the County of Westchester.

COMMITTEE REFERRAL: COMMITTEE ON ENVIRONMENT, ENERGY & CLIMATE AND HUMAN SERVICES, HUMAN RIGHTS & EQUITY

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio the above item was received, filed and referred to the committees listed above. The motion carried unanimously.

SI.8. [2023-190](#) ACT-Lead-Free Parks Act

AN ACT establishing enhanced testing for lead in potable water systems at Westchester County Parks.

COMMITTEE REFERRAL: COMMITTEES ON HEALTH, PARKS & RECREATION AND

PUBLIC WORKS & TRANSPORTATION

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio the above item was received, filed and referred to the committees listed above. The motion carried unanimously.

SI. 9. [2023-191](#) ACT-Renewable Energy Database Act

AN ACT establishing a municipal renewable energy system siting database.

COMMITTEE REFERRAL: COMMITTEE ON ENVIRONMENT, ENERGY & CLIMATE AND PUBLIC WORKS & TRANSPORTATION

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio the above item was received, filed and referred to the committees listed above. The motion carried unanimously.

B. COUNTY ATTORNEY

C. LEGISLATORS

D. OTHERS

II. NOTICES & PETITIONS**1. [2023-180](#) CLERK OF THE BOARD: MWBE 2022 Annual Report**

Forwarding the Westchester County Minority, Women Business Enterprises (MWBE's) 2022 Annual Report.

FOR INFORMATIONAL PURPOSES ONLY- NO REFERRAL NECESSARY

RESULT: Majority Leader Johnson, seconded by Minority Leader Cunzio, reviewed

III. STANDING COMMITTEES**1. [LL-2023-262](#) LOCAL LAW-Office of Housing Counsel**

A "LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 187 relating to the creation of the Office of Housing Counsel."

SUBMITTED BY: COMMITTEES ON LEGISLATION AND HOUSING

This matter was overed, by Legislator Maher, to the Board of Legislators, due back on 5/15/2023

2. [LL-7-2023](#)

A LOCAL LAW amending Chapter 270 of the Laws of Westchester County to delete provisions in subdivision (3) of section 270.124 with respect to base station owners and a vehicle immobilization program to enforce the provisions of the Westchester County For-Hire Vehicle Law.

SUBMITTED BY: COMMITTEES ON LEGISLATION AND PUBLIC WORKS &

TRANSPORTATION

Legislator Smith and Legislator Pierce presented the report and the LOCAL LAW - Amendment to Local Law and moved that the report be received, filed and approved and the LOCAL LAW - Amendment to Local Law adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Chairman Gashi, Legislator Imamura, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Legislator Borgia

Absent: Majority Whip Alvarado

SI. 3. [RES-2023-56](#) APPT-Council for Seniors-Lombardi

A RESOLUTION appointing Francis Lombardi as the District 14 representative member of the Westchester County Council for Seniors for the term January 1, 2023 to December 31, 2025.

SUBMITTED BY: COMMITTEE ON APPOINTMENTS

Minority Whip Nolan presented the report and the RESOLUTION - Appointment and moved that the report be received, filed and approved and the RESOLUTION - Appointment adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Chairman Gashi, Legislator Imamura, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Legislator Borgia

Absent: Majority Whip Alvarado

SI. 4. [RES-2023-57](#) APPT-Women's Advisory Board-Mullen

A RESOLUTION appointing Francile Albright Mullen as the District 11 representative member of the Westchester County Women's Advisory Board for the term March 8, 2023 to December 31, 2023.

SUBMITTED BY: COMMITTEE ON APPOINTMENTS

Minority Whip Nolan presented the report and the RESOLUTION - Appointment and moved that the report be received, filed and approved and the RESOLUTION - Appointment adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Chairman Gashi, Legislator Imamura, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Legislator Borgia

Absent: Majority Whip Alvarado

SI. 5. [RES-2023-58](#) REAPPT-African American Advisory Board-Bradshaw-Soto

A RESOLUTION reappointing Jill Bradshaw-Soto, Esq., as a member of the Westchester County African American Advisory Board for the term February 27, 2023 to December 31, 2024.

SUBMITTED BY: COMMITTEE ON APPOINTMENTS

Minority Whip Nolan presented the report and the RESOLUTION - Reappointment and moved that the report be received, filed and approved and the RESOLUTION - Reappointment adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Chairman Gashi, Legislator Imamura, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Legislator Borgia

Absent: Majority Whip Alvarado

SI. 6. [RES-2023-59](#) REAPPT-African American Advisory Board-Morton

A RESOLUTION reappointing Phillip Morton as a member of the Westchester County African American Advisory Board for the term February 27, 2023 to December 31, 2024.

SUBMITTED BY: COMMITTEE ON APPOINTMENTS

Minority Whip Nolan presented the report and the RESOLUTION - Reappointment and moved that the report be received, filed and approved and the RESOLUTION - Reappointment adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Chairman Gashi, Legislator Imamura, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Legislator Borgia

Absent: Majority Whip Alvarado

SI. 7. [ACT-2023-76](#) CBA-A0137-Airfield Heavy Equipment

AN ACT amending the 2023 County Capital Budget Appropriations for Capital Project A0137 Airfield Heavy Equipment.

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

Legislator Gashi and Legislator Pierce presented the report and the ACT - Capital Budget Amendment and moved that the report be received, filed and approved and the ACT - Capital Budget Amendment adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Chairman Gashi, Legislator Imamura, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Legislator Borgia

Absent: Majority Whip Alvarado

SI. 8. [ACT-2023-77](#) BOND ACT-A0137-Airfield Heavy Equipment

A BOND ACT authorizing the issuance of TWO HUNDRED EIGHTY-THREE THOUSAND (\$283,000) DOLLARS in bonds of Westchester County to finance Capital Project A0137 - Airfield Heavy Equipment.

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

Legislator Gashi and Legislator Pierce presented the report and the ACT - Bond Act and moved that the report be received, filed and approved and the ACT - Bond Act adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Chairman Gashi, Legislator Imamura, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Legislator Borgia

Absent: Majority Whip Alvarado

SI. 9. [ACT-2023-78](#) ACT-Enter Into Grant Agreement-FAA-A0137

AN ACT to authorize the County of Westchester to apply for and enter into a grant agreement with the United States of America, acting through the Federal Aviation Administration for Capital Project A0137 - Airfield Heavy Equipment.

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

Legislator Gashi and Legislator Pierce presented the report and the ACT - Enter Into Agreement and moved that the report be received, filed and approved and the ACT - Enter Into Agreement adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Chairman Gashi, Legislator Imamura, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Legislator Borgia

Absent: Majority Whip Alvarado

SI. 10. [ACT-2023-79](#) ACT-CSEA Agreement

AN ACT approving certain financial terms and conditions of employment requiring legislative approval by law in a Collective Bargaining Agreement for those employees of Westchester County represented by the Civil Service Employees Association, Inc., Local 1000, American Federation of State, County and Municipal Employees, AFL-CIO, Westchester County Local 860, Unit 9200 for a five (5) year period commencing on January 1, 2023 and ending on December 31, 2027.

SUBMITTED BY: COMMITTEE ON BUDGET & APPROPRIATIONS

Legislator Gashi presented the report and the ACT - Enter Into Agreement and moved that the report be received, filed and approved and the ACT - Enter Into Agreement adopted, which motion carried by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Chairman Gashi, Legislator Imamura, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Legislator Borgia

Absent: Majority Whip Alvarado

IV. SPECIAL ORDERS

MOTIONS, RESOLUTIONS & CALL OF THE DISTRICTS

1. [M-RES-2023-8](#) **Memorial Resolutions 8-2023**

HON. TERRY CLEMENTS: Ottavio DeVivo

HON. TERRY CLEMENTS AND ALL LEGISLATORS: Patricia A. Tocci

HON. MARGARET A. CUNZIO: Elizabeth A. Lawrence, Richard H. Wolff, Roger P. Casey, Mary Ann Dowd Cappiello

HON. DAMON R. MAHER: William Plunkett, Esq., Leroy Fadem, Sister Mary Jo Lyons

LEGISLATORS NOLAN, TUBIOLO AND WOODSON-SAMUELS: Ervin "Larry" Oakes

LEGISLATORS NOLAN AND TUBIOLO: Nancy Peteshel

HON. DAVID J. TUBIOLO: George Risbano, Gertrude Kelly Hamilton, Joseph Hamilton

RESULT: Majority Leader Johnson, seconded by Minority Leader Cunzio, adopted

ADJOURNMENT

Next meeting: May 15, 2023 at 7pm.

On motion of Majority Leader Johnson, seconded by Minority Leader Cunzio, the Board adjourned at 8:46 PM to meet on May 15, 2023 by the following vote:

Aye: Majority Leader Johnson, Minority Leader Cunzio, Vice Chairwoman Barr, Legislator Boykin, Legislator Clements, Chairman Gashi, Legislator Imamura, Legislator Maher, Minority Whip Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Tubiolo, Legislator Williams Johnson, Legislator Woodson-Samuels, and Legislator Borgia

Absent: Majority Whip Alvarado