

Legislation

BOL Meeting Minutes - Published Draft



Committee Chair: Colin Smith

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

Monday, February 12, 2024

1:00 PM

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 Emiljana Ulaj will be participating remotely from 201 Stockade Drive, Kingston, NY 12401.

With a quorum present, Chair Smith called the meeting to order at 1:07 p.m.

Others in Attendance: BOL: Legislator Shanae Williams; Legislators (Remote): Nancy Barr, Terry Clements, and Jewel Williams Johnson; Committee Coordinators: Jill Axelrod and Shatika Parker; Santiago Caceres, Amy Vele, Lisa Hochman, and Warren Watson, Jr.; GUESTS: Law Dept.: John Nonna, Justin Adin, Mark Gardner, and Tami Altschiller; DA's Office: Amy Finzi and Daniel McKenna

Present: Legislator Smith, Legislator Tubiolo, Legislator Woodson-Samuels, Legislator Cunzio and Legislator Imamura

Absent: Legislator Boykin

Remote: Legislator Nolan and Legislator Ulaj

MINUTES APPROVAL

Monday, February 5, 2024 at 1:00 p.m.

On motion of Legislator Cunzio, seconded by Legislator Woodson-Samuels, the minutes were approved. The motion carried by the following vote:

Aye: Legislator Smith, Legislator Nolan, Legislator Tubiolo, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Cunzio and Legislator Imamura

Absent: Legislator Boykin

I. ITEMS FOR DISCUSSION

1. [2024-34](#) **IMA-Investigations into Human Trafficking in Westchester County-Various Local Police Departments**

Guests: Law Dept.: Tami Altschiller, Assistant Chief Deputy County Attorney; District Attorney's Office: Amy Finzi, First Deputy District Attorney and Daniel McKenna, Chief Criminal Investigator

Ms. Altschiller, Ms. Finzi, and Mr. McKenna discussed the item with the committee.

On motion of Legislator Imamura, 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: Legislator Smith, Legislator Nolan, Legislator Tubiolo, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Cunzio and Legislator Imamura

Absent: Legislator Boykin

2. [2024-70](#) **PH-Term Lengths and Timing of Elections for Westchester County Legislator and County Executive**

Guests: Law Dept.: Justin Adin, Deputy County Attorney, and Mark Gardner, Senior Assistant County Attorney

Mr. Adin explained that New York State recently passed a law which moves elections for County Legislator and County Executive to even-numbered years. The law will take effect on January 1, 2025, and impact the County's 2025 election year. He further explained that the County law needs to be amended to conform to the State law and realign the election schedules.

Mr. Adin said that this law will mandate that County Legislators elected in 2025 will serve for one year in 2026. An additional election for will then be held in 2026, where County Legislators will serve the requisite two-year term. A legislator's one-year term in 2026 will not be counted under the County's term limit requirements unless the County specifically passes a law to do so. He stated that the law also provides that the County Executive elected in 2025 will serve for three years. An additional election will be held in 2028, and the County Executive will serve the requisite four-year term. The three-year term for County Executive from 2026 through 2028 will not be counted under the County's current term limits law unless the County specifically passes a law to do so.

Mr. Adin added that these requirements will take effect by operation of State law, whether or not the County amends its laws, so this legislation will conform the County law.

Legislator Cunzio noted that at least one county has indicated that they will file a lawsuit challenging the validity of the State law on the grounds that the County has their own charter, so the State cannot dictate this. She questioned whether we should wait for a resolution of that issue before changing our law. Mr. Adin said that we can amend the effective date of the County law to the same time as the relevant sections the State law, so that if the State law is struck down, the County law will never go into effect. He also said that if we pass the County law without amending the effective date and the State law is found to be invalid, the County law wouldn't actually go into effect because it is subject to a mandatory referendum in that situation. The only reason it is not required in the current legislation is because the State law mandated it.

Mr. Adin suggested that Section 6 of the draft law be amended as follows: "This Local Law

shall take effect on the same date as Section 3 of Chapter 741 of the 2023 Laws of the State of New York, except that each section with a later effective date shall take effect on the date specified therein."

The committee members agreed on the amendment.

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

Aye: Legislator Smith, Legislator Woodson-Samuels and Legislator Imamura

Absent: Legislator Boykin

WO Prejudice: Legislator Nolan, Legislator Tubiolo, Legislator Ulaj and Legislator Cunzio

Motion to Amend Local Law

On motion of Legislator Imamura, seconded by Legislator Woodson-Samuels, the motion was approved. The motion carried by the following vote:

Aye: Legislator Smith, Legislator Ulaj, Legislator Woodson-Samuels and Legislator Imamura

Absent: Legislator Boykin

WO Prejudice: Legislator Nolan, Legislator Tubiolo and Legislator Cunzio

3. [2024-71](#) **LOCAL LAW-Term Lengths and Timing of Elections for Westchester County Legislator and County Executive**

Guests: Law Dept.: Justin Adin, Deputy County Attorney, and Mark Gardner, Senior Assistant County Attorney

See discussion of ID # 2024-70 above.

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

Aye: Legislator Smith, Legislator Woodson-Samuels and Legislator Imamura

Absent: Legislator Boykin

WO Prejudice: Legislator Nolan, Legislator Tubiolo, Legislator Ulaj and Legislator Cunzio

II. OTHER BUSINESS

III. RECEIVE & FILE

1. [2024-57](#) **HON. CATHERINE F. PARKER - Memo of Legislation - A law to authorize the exchange real property**

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

Aye: Legislator Smith, Legislator Nolan, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Cunzio and Legislator Imamura

Absent: Legislator Boykin

Abstain: Legislator Tubiolo

2. [2024-72](#) **LEGISLATORS NOLAN & WOODSON-SAMUELS - Memo of Leg. - Restoration of Street Surfaces After Excavation**

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

Aye: Legislator Smith, Legislator Nolan, Legislator Tubiolo, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Cunzio and Legislator Imamura

Absent: Legislator Boykin

3. [2024-73](#) **HON. CATHERINE F. PARKER - Memo of Leg. - Utility Poles on County Road Rights-of-Way**

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

Aye: Legislator Smith, Legislator Nolan, Legislator Tubiolo, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Cunzio and Legislator Imamura

Absent: Legislator Boykin

4. [2024-74](#) **LEGISLATORS TUBIOLO & WOODSON-SAMUELS - Memo of Leg. - Prohibit Illegal Dumping**

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

Aye: Legislator Smith, Legislator Nolan, Legislator Tubiolo, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Cunzio and Legislator Imamura

Absent: Legislator Boykin

5. [2024-75](#) **HON. DAVID IMAMURA - Memo of Leg - Free Daycare for Childcare Workers**

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

Aye: Legislator Smith, Legislator Nolan, Legislator Tubiolo, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Cunzio and Legislator Imamura

Absent: Legislator Boykin

ADJOURNMENT

Moved by Legislator Cunzio, seconded by Legislator Imamura, the Committee adjourned at 1:58 p.m. by the following vote:

Aye: Legislator Smith, Legislator Nolan, Legislator Tubiolo, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Cunzio and Legislator Imamura

Absent: Legislator Boykin

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