



Public Works & Transportation

BOL Meeting Minutes - Final

Committee Chair: Vedat Gashi

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

Monday, April 5, 2021

10:00 AM

Committee Room

CALL TO ORDER

Meeting joint with the Committees on Budget & Appropriations, Social Services and Labor & Housing

With a quorum present, Chair Gashi called the meeting to order at 10:13 AM.

Pursuant to Governor Andrew Cuomo's Executive Order No. 202.1, "Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency," which temporarily suspends portions of the New York State Open Meetings Law.

A section of the order, "Suspension of law allowing the attendance of meetings telephonically or other similar services," provides for the suspension of "Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing 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."

Others in Attendance: BOL: Catherine Borgia, Damon Maher, Alessandra Restiano, James Silverberg BOL Remote: Margaret Cunzio, Alfreda Williams, Nancy Barr, Melanie Montalto, Dayana Gomez DEF Remote: Nat Federici, CJ Gelardo LAW Remote: Lynne Colavita, Michelle Greenbaum DPW/T Remote: Robert Abbamont PLANNING Remote: Norma Drummond, Leo Gruenfeld

Present: Committee Chair Gashi, Legislator Johnson and Legislator Boykin

Remote: Legislator Covill, Legislator Parker, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

MINUTES APPROVAL

February 3, 2021 at 12:00PM Minutes

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

February 8, 2021 at 10:00AM Minutes

On motion of Legislator Johnson, seconded by Legislator Boykin, the minutes were approved. The motion carried unanimously.

March 1, 2021 at 10:00AM Minutes

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

March 22, 2021 at 10:00AM Minutes

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

I. ITEMS FOR DISCUSSION

1. [RES-2021-76](#) PH-WD309-Water Storage Facilities & Maintenance Program

A Public Hearing on "An ACT to increase and improve Westchester County Water District No. 3 facilities to carry out capital project WD309 at a maximum estimated cost of NINE MILLION, EIGHT HUNDRED THOUSAND (\$9,800,000) DOLLARS in accordance with the recommendation of the District Report of the Department of Environmental Facilities subject to the permission of the Comptroller of the State of New York". [Public Hearing set for April 26, 2021 at 7:30 p .m.]. Intro Act 2021-231.

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

Joint with B&A.

Guests: Deputy Commissioner Nat Federici, Capital Projects Coordinator CJ Gelardo - DEF; Senior Assistant County Attorney Lynne Colavita & Senior Assistant County Attorney Michelle Greenbaum

Deputy Commissioner Federici and Program Specialist CJ Gelardo from the Department of Environmental Facilities join Senior Assistant County Attorney Lynne Colavita and Senior Assistant County Attorney Michelle Greenbaum to discuss WD309- Water Storage Facilities and Maintenance Program legislation. Commissioner Federici began by explaining the details of the capital project. These items appear on the agenda as number 1-6 (2021-229 through 2021- 234). This is a rehabilitation and maintenance of the existing water storage tower fro the Grasslands Reservation (County Water District No. 3). The work will include painting and coating of the interior and exterior of the storage tower, paving of the existing service roadway and area surrounding the tank. requires drainage remediation work, housekeeping site works, electrical and control instrumentation improvements , and piping and valve work. The schedule for design is complete, and the department is finalizing the last parts of the design working with the Department of Health.

Legislator Shimsky asked about the cost breakdown, and could they give a little more detail? Deputy Commissioner Federici discussed that the total cost of this projects is \$9.8 million for the water tower. Construction costs, which includes all categories is \$8 million and contingency costs are \$1.8 million.

Senior Assistant County Attorney Lynn Colavita explained the legal issues involved with this legislation. She explained that this type of project requires approval from the State Controller. Every January, the State Controller issues average cost for special districts. Unfortunately, this January and last January, there was not enough to estimate a cost. All bonding for water district projects need to get approval from the State Controller. There are additional steps also required in order to move forward with this project. Legislator Borgia asked Ms. Colavita to explain why this was necessary. She said, she had never seen a project like this before. Ms. Colavita agreed and explained that she called counsel in the State Controller's office and

was told that 2019/ 2020 there had not been enough water district projects, and therefore not enough data to estimate cost. Legislator Borgia asked, is everyone in the State required to do this process? Ms. Colavita explained yes, the entire state. She explained that because it's Water District 3, we need to assess over all county parcels. Typically, the estimated cost is above \$1.46, in a normal year, we would not have had to go to the State Controller for approval. Ms. Colavita explained the process. First we need to have a public hearing; approval of the SEQR Resolution issuing a Negative Declaration; approval of an Act authorizing the County to proceed with WD309 for benefit of the district subject to the permission of the State Controller; approval of an Act directing verified application be submitted to the State Controller; approval of a State Regulations Resolution as required by the State Regulations in order to submit verified application to the State Controller and approval of the Bond Act authorizing the issuance of up to \$9,800,000 in bonds to finance the capital project WD309 subject to the permission of the State Controller authorizing such expenditures. Legislator Borgia asked if the Committees would be able to sign this legislation for all purposes? Ms. Colavita explained that yes, they could sign it out for all purposes. She noted that due to Article 5 A of the County law, the notice of the Public Hearing must be published no less than 10 days no more than 20 days of the meeting. The committees consulted with the Clerk of the Board and the Legislative Director regarding the timing, and they agreed to sign the legislation out and we will work it out with the Law Department.

Legislator Maher asked about the cathodic protection? What is it? Deputy Commissioner Federici explained that it protects metal. The tower is metal, the process will protect it from pitting or corrosion over time. Legislator Maher also asked to confirm that Water District No. 3 are all municipal buildings no private homes. Mr. Federici confirmed that at this time that is correct. Chair Gashi asked about the PPU listed in the legislation. He discussed that the PPU is listed at 40 years, is this the for the cathodic protection? Mr. Federici explained that the PPU for the tower is 40 years. The department feels that this is the last time the tower can be rehabilitated. With the cathodic protection, they feel they can get an additional 15-20 years.

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

Aye: Committee Chair Gashi, Legislator Covill, Legislator Johnson, Legislator Parker, Legislator Boykin, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

2. [RES-2021-85](#) **ENV RES-WD309-Water Storage Facilities & Maintenance Prgm**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from Capital Project WD309 - Water Storage Facilities and Maintenance Program.

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

Joint with B&A.

Guests: Deputy Commissioner Nat Federici, Capital Projects Coordinator CJ Gelardo - DEF; Senior Assistant County Attorney Lynne Colavita & Senior Assistant County Attorney Michelle Greenbaum

Please refer to item #1.

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

Aye: Committee Chair Gashi, Legislator Covill, Legislator Johnson, Legislator Parker, Legislator Boykin, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

3. [ACT-2021-56](#) **ACT-Authorizing County to Proceed with WD309**

AN ACT to increase and improve Westchester County Water District No. 3 facilities to carry out capital project WD309 at a maximum estimated cost of NINE MILLION, EIGHT HUNDRED THOUSAND (\$9,800,000) DOLLARS in accordance with the recommendation of the District Report of the Department of Environmental Facilities subject to the permission of the Comptroller of the State of New York.

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

Joint with B&A.

Guests: Deputy Commissioner Nat Federici, Capital Projects Coordinator CJ Gelardo - DEF; Senior Assistant County Attorney Lynne Colavita & Senior Assistant County Attorney Michelle Greenbaum

Please refer to item #1.

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

Aye: Committee Chair Gashi, Legislator Covill, Legislator Johnson, Legislator Parker, Legislator Boykin, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

4. [ACT-2021-57](#) **BOND ACT(Amended)-WD309-Water Storage Facilities & Maintenance Prgm.**

A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of NINE MILLION, THREE HUNDRED THOUSAND (\$9,300,000) DOLLARS to finance Capital Project WD309 - Water Storage Facilities and Maintenance Program.

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

Joint with B&A.

Guests: Deputy Commissioner Nat Federici, Capital Projects Coordinator CJ Gelardo - DEF; Senior Assistant County Attorney Lynne Colavita & Senior Assistant County Attorney Michelle Greenbaum

Please refer to item #1.

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

Aye: Committee Chair Gashi, Legislator Covill, Legislator Johnson, Legislator Parker, Legislator Boykin, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

5. [ACT-2021-58](#) **ACT-Directing That a Verified Application be Submitted to the State**

Comptroller

AN ACT to authorize the Chairman of the Board of Legislators or his authorized designee to execute all instruments and take all actions reasonable, necessary and appropriate to petition the Comptroller of the State of New York pursuant to Section 268 of Article 5-A of the New York State County Law for an order giving permission for the County's issuance of bonds in an amount not-to-exceed NINE MILLION, EIGHT HUNDRED THOUSAND (\$9,800,000) DOLLARS for an increase and improvement of County Water District No.3.

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

Joint with B&A.

Guests: Deputy Commissioner Nat Federici, Capital Projects Coordinator CJ Gelardo - DEF; Senior Assistant County Attorney Lynne Colavita & Senior Assistant County Attorney Michelle Greenbaum

Please refer to item #1.

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

Aye: Committee Chair Gashi, Legislator Covill, Legislator Johnson, Legislator Parker, Legislator Boykin, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

6. [RES-2021-86](#) **RES-State Regulations Resolution**

A RESOLUTION as required by the State Regulations (2 N.Y.C.R.R. Part 85) in order to submit the verified application to the State Comptroller.

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

Joint with B&A.

Guests: Deputy Commissioner Nat Federici, Capital Projects Coordinator CJ Gelardo - DEF; Senior Assistant County Attorney Lynne Colavita & Senior Assistant County Attorney Michelle Greenbaum

Please refer to item #1.

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

Aye: Committee Chair Gashi, Legislator Covill, Legislator Johnson, Legislator Parker, Legislator Boykin, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

7. [ACT-2021-43](#) **CBA-BSS13-Infrast Improvements to Shelter Facilities-Vernon Plaza, Mount Vernon**

AN ACT amending the 2021 County Capital Budget Appropriations for Capital Project - BSS13 - Infrastructure Improvements to Shelter Facilities - Vernon Plaza, Mt. Vernon.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND SOCIAL SERVICES

Joint with B&A and SS.

Guests: Commissioner Hugh Greechan and Program Coordinator (Capital Program) Robert Abbamont

Mr. Abbamont began by introducing the requests for both of these items: Capital Budget amendment adds \$173,000 requesting \$1.7M in bonds to replace existing boilers in this facility (17 South Second Avenue in Mount Vernon). The building is about 18,500 square feet and in the beginning of the year the existing boilers failed and the facility is currently functioning with temporary boilers located on the street. The funds request is for construction management. They anticipate 2 months of design and 6 months for construction. They hope to have this work completed before the next heating season.

Legislator Borgia asked if in the project the intention was to replace the boilers in a few years. Mr. Abbamont clarified that there were other repairs that needed to be made but they did not anticipate changing the boilers until a later time.

Legislator Barr asked if there was damage done to the rest of the building when the boilers failed. Mr. Abbamont responded that the building itself was fine when this happened. He is unsure if the building is occupied and would need to ask Social Services. Legislator Barr asked if the cracks in the boiler were there before they failed and Mr. Abbamont said no but they were last replaced in the early 2000s. Legislator Barr also asked if they are aware of the amount of years that boilers last and Mr. Abbamont replied that typically they last about 25 years and they do normal preventive maintenance to the boilers to help them last longer. They are also starting to codify and diligently track the expected lifespan of their equipment to ensure that they prepare accordingly. He mentioned that there are 3 major departments that have an facilities: Departments of Public Works, Environmental Facilities and Parks and Recreation. Legislator Barr asked if they know when the full inventory will be completed, Mr. Abbamont said no but they will begin working on that now with this work.

Legislator Gashi asked if they have any indication of what caused this particular failure. Mr. Abbamont said that although they do not have an answer for this question they will be looking into it once they start moving the boilers around.

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

Aye: Committee Chair Gashi, Legislator Covill, Legislator Johnson, Legislator Parker, Legislator Boykin, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

8. [ACT-2021-44](#) **BOND ACT-BSS13-Infrast Improvements to Shelter Facilities-Vernon Plaza, Mount Vernon**

A BOND ACT authorizing the issuance of ONE MILLION, SEVEN HUNDRED THOUSAND (\$1,700,000) DOLLARS in bonds of Westchester County to finance Capital Project BSS13 - Infrastructure Improvements to Shelter Facilities - Vernon Plaza Mt. Vernon.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND SOCIAL SERVICES

Joint with B&A and SS.

Guests: Commissioner Hugh Greechan and Program Coordinator (Capital Program) Robert Abbamont

Please refer to item #7.

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

Aye: Committee Chair Gashi, Legislator Covill, Legislator Johnson, Legislator Parker, Legislator Boykin, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

9. [ACT-2021-45](#) **BOND ACT-B077D-Infrast. Rehab.-Valhalla Campus '14-'18**

A BOND ACT authorizing the issuance of TWO MILLION, EIGHT HUNDRED THOUSAND (\$2,800,000) DOLLARS in bonds of Westchester County to finance Capital Project B077D - Infrastructure Rehabilitation, Valhalla Campus (2014-2018).

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

Joint with B&A.

Guests: Commissioner Hugh Greechan and Program Coordinator (Capital Program) Robert Abbamont

Robert Abbamont, Program Coordinator for the Department of Public Works & Transportation discussed capital project B0077D - Infrastructure Rehabilitation, Valhalla Campus. This Bond Act in the amount of \$2,800,000 that will fund the cost of design, construction management and construction in connection with the replacement of the deaerator tank and all associated work at the Central Heating Plant (CHP) at the Valhalla Campus. Mr. Abbamont explained that the CHP provides steam and hot water to the Westchester Medical Center and the Norwood E. Jackson Correctional Facility. It also provides steam to the Department of Labs and Research and Woodfield Cottage. The deaerator tank helps to remove the dissolve gases from the boiler feed water. These gases which are basically oxygen and carbon dioxide can be corrosive. The tank is 23 feet long by 8 feet in diameter. We had originally noticed we were having issues and we upgraded the controls at the Central Heating Plant. NYPA, who are the consultants on this project, did an inspection and determined that the tank would need work in the future. We put in a coating hoping that it would help us get through a couple of years. We programmed money in 2024, but based on recent inspections the tank needs to be replaced at this time. We plan to do the work with NYPA. We do have what's called a summer tank. During the summer, we don't need that larger tank. The plan is to get in replace the tank, associate piping pumps and have that up and running for the winter.

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

Aye: Committee Chair Gashi, Legislator Covill, Legislator Johnson, Legislator Parker, Legislator Boykin, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

10. [ACT-2021-46](#) **ACT-Land Acquisition-60 & 76 Point St. and 81 Ravine Ave., Yonkers**

AN ACT authorizing the County of Westchester to purchase approximately +/- 1.38 acres of real property located at 60 & 76 Point Street and 81 Ravine 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 146 affordable rental units, that will affirmatively further fair housing and remain affordable for a

period of not less than 50 years.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND LABOR & HOUSING

Joint with B&A and L&H.

Guests: Commissioner Norma Drummond and Program Administrator (Housing & Community Development) Leonard Gruenfeld- Department of Planning

Commissioner Norma Drummond and Program Administrator Leonard Gruenfeld appeared before the Committees to discuss item number 2021-245-ACT-Land Acquisition-60 & 76 Point St. and 81 Ravine Ave., Yonkers and item # 2021-246-BOND ACT-BPL30-60 & 76 Point St. and 81 Ravine Ave., Yonkers. This Land Acquisition is an ACT authorizing the County of Westchester to purchase approximately +/- 1.38 acres of real property located at 60 & 76 Point Street and 81 Ravine 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 146 affordable rental units, that will affirmatively further fair housing and remain affordable for a period of not less than 50 years. BPL30 is a BOND ACT authorizing the issuance of FIVE MILLION (\$5,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL30 – New Homes Land Acquisition II. Commissioner Drummond noted that this money will cover a portion of the purchase of this land. Of the four new building there will be one six story building and three three-story town house style buildings, because the zoning is different along the corridor where the land is being purchased. There will be 146 total units and 179 parking spaces. Of these, 44 units will be servicing seniors who are 55 and older. The 145 rental units and 1 superintendents unit will all be affordable housing. The proposed affordable units will be marketed and leased in accordance with an approved affordable fair housing marketing plan to eligible households who earn at or below 40% and up to 80% of the Westchester County area median income. The units will remain affordable for a period of not less than 50 years.

Legislator Maher asked where the parking will be located? Commissioner Drummond responded that there will be multiple areas, some of it will be located under the building and then the parking for the city will be located across the street. Mr. Gruenfeld confirmed that some parking will be under the structure but not underground. Legislator Maher asked why in the planning board information it says up to 90% AMI? Commissioner Drummond responded that since it was in front of the County Planning Board, the developer has been able to fine tune their subsidy with New York State and will now be limited to the 80% AMI. Legislator Maher asked what happens when people get a better job and surpass the AMI limit. Commissioner Drummond responded that there are a couple different options. They can stay in place until they are recertified, and you are given a year to find a new place to live. Sometimes there are options where they can stay there but they have to pay a high rate. Legislator Maher asked for specifics about the regulatory agreement? Commissioner Drummond and Mr. Gruenfeld responded that they are not that far along yet in the process but expect that this will follow the guidelines of a standard NYS regulatory agreement. Legislator Johnson asked who monitors that the residents are being charged the proper rent related to their income? Commissioner Drummond responded that she has two staff in her Department whose primary responsibility is monitoring.

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

Aye: Committee Chair Gashi, Legislator Covill, Legislator Johnson, Legislator Parker, Legislator Boykin, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

11. [ACT-2021-47](#) **BOND ACT-BPL30-60 & 76 Point St. and 81 Ravine Ave., Yonkers**

A BOND ACT authorizing the issuance of FIVE MILLION (\$5,000,000) 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 AND LABOR & HOUSING

Joint with B&A and L&H.

Guests: Commissioner Norma Drummond and Program Administrator (Housing & Community Development) Leonard Gruenfeld- Department of Planning

Please refer to item #10.

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

Aye: Committee Chair Gashi, Legislator Covill, Legislator Johnson, Legislator Parker, Legislator Boykin, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Walter and Legislator Woodson-Samuels

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Johnson, seconded by Legislator Boykin, the Committee adjourned at 11:48 AM.