



Budget & Appropriations

BOL Meeting Minutes - Final

Committee Chair: Catherine Borgia

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

Monday, June 7, 2021

10:00 AM

Committee Room

CALL TO ORDER

Meeting jointly with the Committees on Public Works & Transportation, Labor & Housing, Parks & Recreation and Senior, Youth & Intergenerational Services.

With a quorum present, Chair Borgia called the meeting to order at 10:21 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: Alessandra Restiano, James Silverberg, Elizabeth LoBello, Melanie Montalto BOL Remote: MaryJane Shimsky, Kitley Covill, Jose Alvarado LAW Remote: Lynne Colavita, Fred Sullivan CE Remote: Blanca Lopez, Chris Steers SENIORS Remote: Jeanne Pici, Colette Phipps PARKS Remote: Kathy O'Connor, Peter Tartaglia, Ken Uhle DPW/T Remote: Robert Abbamont GUESTS Remote: Vince Toomey, Karen Pecora

Present: Committee Chair Borgia, Legislator Boykin, Legislator Johnson and Legislator Walter

Absent: Legislator Woodson-Samuels

Remote: Legislator Barr, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Maher, Legislator Parker, Legislator Tubiolo and Legislator Williams

MINUTES APPROVAL

Wednesday, June 2, 2021 10AM Minutes

On motion of Legislator Johnson, seconded by Legislator Williams, the above item was approved. The motion carried unanimously.

I. ITEMS FOR DISCUSSION

1. [RES-2021-122](#) **ENV RES-187 Cottage Avenue, Mount Vernon**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from the purchase of real property located at 187 Cottage Avenue, Mount Vernon, NY.

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

Joint with PWT and L&H

Guests: Commissioner Norma Drummond- Department of Planning

Blanca Lopez and Chris Steers, Director of Real Estate for the County Executive appeared before the joint committees to discuss the 4 pieces of legislation surrounding the purchase of real property – 187 Cottage Avenue, Mount Vernon and related Bond Acts, Environmental Resolution and Capital Budget Amendment.

This legislation would authorize the County to purchase a residential building with approximately 5,548 square feet of space. The future of the space is undetermined at this time. The Capital Budget Amendment in the amount of \$1,000,000 to amend the 2021 Capital Budget is needed to create the Capital Project BLA05.

The related Bond Act (BLA05) would authorize the issuance of up to \$1,000,000 in County Bonds to finance the \$800,000 purchase price of the property closing costs and costs to secure the building.

Mr. Steers began by explaining that this is a property located in Mount Vernon. It was previously a senior assisted living facility built in 1908. It was listed on the market for \$950,000 and was appraised for \$850,000

the County is purchasing it for \$800,000. It is approximately 11,000 square feet and in a multifamily zone. It has capacity for 17 beds and 5 bathrooms with onsite parking. It needs updating on the interior and exterior.

Ms. Lopez discussed that with this property, they are looking to add to our affordable housing portfolio by using this property as supportive housing for the elderly and we want to do this due to make 3 main reasons.

The first, has to do with the findings from the housing needs assessment. We see that individuals in the 66 to 74 age group has increased by almost 24% in the last several years and as a result of this increase, we see that housing for older population needs to be critically considered and whatever future housing plans.

Second, is because the housing and the programs that we would provide would be the same as the population that used to live there was receiving. We don't want to disrupt a neighborhood and we don't want to interrupt anything going on in the community. The County felt that it would be beneficial to provide sort of housing for the elderly in that site.

The third factor, is that the City of Mount Vernon is in support of our efforts. The County has started initial conversations in particular with the Department of Community Mental Health and have learn a lot about the type of funding that is available for supported housing services, both to cover capital improvements and the programs that would entail this type of housing model.

With this type of housing model, they are looking at other similar, supportive housing models throughout the County, and plan to invite groups and organization to obtain funding and so that they can tour the site and can let us know what we need to make this work. The County wants this to be a successful program.

Chairwoman Bogia asked if this would classify as a nursing home? Ms. Lopez explained that because of the funding, it would be classified as supportive housing. Chairwoman Borgia asked are we (the County) going to run this facility. Ms. Lopez explained that they will do and

RFP but they need to do some research before and to make sure that the funding is available as well as any deadlines. Chairwoman Borgia asked is this a new venture for us or do we have other facilities that we run, similar to this? Ms. Lopez explained that we have the Emergency Housing Units that we lease through DSS that is similar to this facility.

Chairwoman Borgia asked is it premature to pass this piece of the legislation before you have a real sense of exactly what's going to what the model is going to look like? Ms. Lopez explained that this property is in bankruptcy court, and foreclosure and there is a timing issue. Is there an age restriction? Ms. Lopez explained that the population will be determined by the funding, and the criteria built around that funding.

Chair Maher of the Labor & Housing Committee asked is there a bus stop? Is there a Mount Vernon residency requirement? Ms. Lopez explained that would be step two and again would depend on the funding.

Legislator Parker discussed seniors who are victims of elder abuse and she would hope that this location would be used as an emergency housing location.

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

Aye: Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter and Legislator Williams

Absent: Legislator Woodson-Samuels

2. [ACT-2021-106](#) **CBA-BLA05-187 Cottage Avenue, Mount Vernon**

AN ACT amending the 2021 County Capital Budget Appropriations for Capital Project BLA05 - Acquisition of 187 Cottage Avenue, Mount Vernon, NY.

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

Joint with PWT and L&H

Guests: Commissioner Norma Drummond- Department of Planning

Please refer to item #1.

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

Aye: Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter and Legislator Williams

Absent: Legislator Woodson-Samuels

3. [ACT-2021-107](#) **BOND ACT-BLA05-187 Cottage Avenue, Mount Vernon**

A BOND ACT authorizing the issuance of ONE MILLION (\$1,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BLA05 - Acquisition of 187 Cottage Avenue, Mount Vernon, NY.

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

Joint with PWT and L&H

Guests: Commissioner Norma Drummond- Department of Planning

Please refer to item #1.

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

Aye: Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter and Legislator Williams

Absent: Legislator Woodson-Samuels

4. [ACT-2021-108](#) **ACT-Purchase of Real Property-187 Cottage Avenue, Mount Vernon**

AN ACT authorizing the County of Westchester to purchase real property located at 187 Cottage Avenue in Mount Vernon, NY.

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

Joint with PWT and L&H

Guests: Commissioner Norma Drummond- Department of Planning

Please refer to item #1.

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

Aye: Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter and Legislator Williams

Absent: Legislator Woodson-Samuels

5. [ACT-2021-103](#) **ACT-Agreement-County of Westchester & CSEA**

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 one (1) year period commencing on January 1, 2022 and ending on December 31, 2022.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND LABOR & HOUSING

Joint with LH

Guests: Labor Counsel Vince Toomey, Assistant Chief Deputy County Attorney Fred Sullivan and CSEA President Karen Pecora

This item was discussed in detail at last week's joint meeting. Labor Counsel Vince Toomey, Assistant Chief Deputy County Attorney Fred Sullivan and CSEA President Karen Pecora appeared before the committee to continue the discussion. Chairwoman Borgia began by stating that there was further discussion with the Administration, member of the Board of Legislators and the Labor Counsel. Mr. Toomey discussed that he received some amended language that would consider "Juneteenth" to be a Commemoration rather than a Holiday. He

explained that the language may be better final language for a collective bargaining agreement. The language which is in the Memorandum of Agreement, which is before the Board this morning was ratified by members of the Union, so that language itself could not be changed. But after the approval, by both the membership and by the Board of Legislators, there is a drafting process for the collective bargaining agreement. Mr. Toomey explained it would not be a very difficult process because it is largely a rollover agreement, and the language that was suggested would be very helpful and will certainly be considered by the County for final contract language. He went on to state that we recommend approval of the Memorandum of Agreement in its current form with the caveat that the county will work together on final contract language to make sure that everyone's clear of the nature of this day, and what the compensation will be for employees who actually work on the 19th of June. Chairwoman Borgia asked if the amended language could be added to the committee report since that is a record of our legislative intent. She went on to state that they understand that since the Memorandum of Agreement is what was voted on by the membership and we can't change that without another vote by the membership. She noted that the committee did not desire to change the Memorandum of Agreement but the committees would also like to see the draft agreement once you have negotiated with the administration and the Union. The following language was added to the committee report and it was amended to read: In the third paragraph #2. "Holiday with Pay" was changed to "Commemoration of Juneteenth."

Additionally in that paragraph the following was added:

"Your committee recommends that in order to clarify the terms of this provision, that the County propose the inclusion of the following language in the collective bargaining agreement: Commemoration of Juneteenth

Effective January 1, 2021, the nineteenth day of June, known as Juneteenth, shall be considered a paid day off for all employees regularly scheduled to work on that date. All employees required to work on the nineteenth of June will receive their regular straight time pay for the day and will be granted an additional day off (hour for hour). The additional time off shall be taken with the approval of the employee's Department, in accordance with the procedures and policies in effect in their respective Departments."

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

Aye: Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter and Legislator Williams

Absent: Legislator Woodson-Samuels

6. [ACT-2021-110](#) **ACT - Extending a Seniors Grant Agreement**

AN ACT authorizing the County of Westchester to amend a grant agreement with the New York State Office for the Aging ("NYSOFA") under the Unmet Need Program by extending the term thereof through September 30, 2021; and to enter into inter-municipal agreements with the City of New Rochelle and the City of Yonkers to provide various services to seniors to be funded with the Unmet Need grant.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND SENIORS, YOUTH & INTERGENERATIONAL SERVICES

Joint with SYIS

Guests: Deputy Commissioner Jeanne Pici and Director of Program Development Colette Phipps

Ms. Pici was introduced and discussed item 2021-366. This item was placed directly into committee by the Chairman of the Board. This is an Act that would authorize the County to amend a grant agreement with NYS Office for the Aging which provided \$951,658 in funding for Unmet Need Program for a term commencing on April 1, 2020 and continuing through March 31, 2021, by extending the term through September 30, 2021. It will also authorize the County to enter into an inter-municipal agreement (IMA) with the City of New Rochelle and the City of Yonkers to provide services funded under the Unmet Need Program in a total not-to-exceed amount \$130,00 for a term commencing on April 1, 2021 and continuing through September 30, 2021.

Ms. Pici explained that this is a NYS grant that has extra funds that have expired on March 31. This is an ask for an extension to use the funds remaining, Yonkers will receive \$130,000 for new senior vans and New Rochelle will receive \$20,000. Yonkers will also receive \$10,000 for the livable communities program.

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

Aye: Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter and Legislator Williams

Absent: Legislator Woodson-Samuels

7. [2021-343](#) **ENV RES-Convey Real Property-Jefferson St., Town of Mamaroneck**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from the proposed conveyance of approximately 0.17 acres of real property in the Town of Mamaroneck to Calshire Tenants, Inc, its successors and/or assigns.

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

Joint with PWT and L&H

Guests: Commissioner Kathy O'Connor and First Deputy Commissioner Peter Tartaglia- Parks & Recreation; Senior Assistant County Attorney Lynne Colavita

Chairwoman Borgia took the following two items out of order. Senior Assistant County Attorney Lynne Colavita appeared before the committee to discuss the Resolution and Act-Convey Real Property – Jefferson Street, Town of Mamaroneck. This matter is for the sale of a small 0.17 acres of vacant land that is part of old Jefferson Street, which was originally acquired for construction of the Pelham Portchester Parkway, which was never built. Our Parks Department determined by resolution that this property is no longer needed for any part or purpose.

Ms. Colavita noted that, late Friday afternoon, I receive word from the purchaser's attorney that his client would like to renegotiate the purchase, which had previously been agreed to 20,000 dollars. Ms. Colavita asked that this matter be tabled, while the administration renegotiate the sale price.

The committees agreed to table the item. Chairwoman Borgia asked does this require any alienation legislation at the State? Ms. Colavita stated it does not. We looked into that and it does not require any alienation and the property is also under 2 acres which is in compliance with the amended portion of the County charter.

Chair Maher of the Labor & Housing Committee asked that when they item comes before the

committees again, that they discuss having a separate fund for sales of parkland. Ms. Colavita discussed that it is her understanding that this goes into the general fund, and then in previous sales, the money has been designated for Parks. Legislator Parker asked what will the site be used for? Ms. Colavita stated that the purchaser stated they would like to make it into a park area or perhaps a picnic area or a playground, to keep it greenspace. She also noted it would benefit the tenants of the adjoining Coop who is purchasing the property. No action was taken.

This RESOLUTION - Environmental Resolution was tabled

8. [2021-344](#) **ACT-Convey Real Property-Jefferson St., Town of Mamaroneck**

AN ACT authorizing the conveyance of approximately 0.17 acres of real property in the Town of Mamaroneck, New York to Calshire Tenants, Inc., its successors and/or assigns for the consideration of TWENTY THOUSAND (\$20,000) DOLLARS.

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

Joint with PWT and L&H

Guests: Commissioner Kathy O'Connor and First Deputy Commissioner Peter Tartaglia- Parks & Recreation; Senior Assistant County Attorney Lynne Colavita

Please refer to item # 7.

This ACT was tabled

9. [ACT-2021-101](#) **BOND ACT-RPL01-Pocantico Lakes Bldg Renovation & Site Work**

A BOND ACT authorizing the issuance of TWO HUNDRED SEVENTY FIVE THOUSAND (\$275,000) DOLLARS in bonds of Westchester County to finance Capital Project RPL01 - Pocantico Lakes Building Renovations and Site Work.

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

Joint with PWT

Guests: Commissioner Kathy O'Connor and First Deputy Commissioner Peter Tartaglia- Parks & Recreation;

Program Coordinator (Capital Planning) Robert Abbamont- Public Works & Transportation Commissioner O'Connor, First Deputy Commissioner Tartaglia from the Department of Parks and Ken Uhle Capital Program Coordinator for the Department of Public Works appeared before the joint committee to discuss RPL01- Pocantico Lakes Building Renovation and Site Work. This is a Bond Act in the amount of \$275,000 that would fund the design associated with the demolition, removal and associated work of derelict structures located at Pocantico Lakes Park in Pleasantville. The building is in poor condition and some of the storage facilities are little more than ruins. The remnant of the burned out park residence building and the storage building represent a safety hazard as well as an unattractive nuisance to the park and the neighborhood. Design is anticipated to take 6 months and will be completed by a consultant. Construction is also anticipated to take 6 months once contracts are awarded. Commissioner O'Connor explained that this is something that certainly needs to be done as soon as possible. She noted that if we don't do anything about this site it will become hang outs for people doing not good things. The actual work would be done next year in 2022

before the members is the request for design. Ken Uhle added that is a safety concern

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

Aye: Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter and Legislator Williams

Absent: Legislator Woodson-Samuels

10. [RES-2021-121](#) **ENV RES-RBR04-Bronx River Reservation**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from Capital Project RBR04 - Bronx River Reservation.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PARKS & RECREATION

Joint with PWT

Guests: Commissioner Kathy O'Connor and First Deputy Commissioner Peter Tartaglia- Parks & Recreation;

Program Coordinator (Capital Planning) Robert Abbamont- Public Works & Transportation Commissioner O'Connor, First Deputy Commissioner Tartaglia from the Department of Parks and Ken Uhle Capital Program Coordinator for the Department of Public Works appeared before the joint committee to discuss RBR04- Bronx River Reservation. This is an amended Bond Act in the amount of \$6,850,000 which includes \$650,000 in previously authorized bonds to finance the cost of design, construction and construction management of a paved pathway along the Bronx River Reservation, including the construction of a new pathway along the County's Bronx River Reservation from Midland Avenue to the Cross County Parkway and rehabilitation of the existing pathway from the Cross County Parkway to Oak Street. Work will include all infrastructure, site work, bridge construction, grading, drainage and associated landscaping. This will complete the pathway along the entire length of the Bronx River Reservation from the Kensico Dam Plaza to the Bronx line. It is a popular pathway and heavily used for hiking, biking and walking. Design is underway and expected to be complete by the 3rd quarter of 2021 and is being done by consultants. it is estimated that the construction will take 18 months to complete once the contracts have been awarded. Legislator Walter discussed that she had a concern regarding the section of the path that goes down the side of Scout field and under the MTA bridge. She didn't think it would happen because she heard that it is very difficult to get things approved by the MTA. She noted there needs to be a safety fence is that envisioned because you have open access to the train tracks. She asked the department is that something you guys have looked at? Commissioner O'Connor and First Deputy Commissioner Tartaglia discussed that they believe that this issue has been looked at. They would have to look back at the drawings to confirm. Commissioner O'Connor said that they would never do something that would be so accessible to the train checks. So I'm sure it has been discussed, but she will confirm and get back to the members. Legislator Walter asked about the upkeep of the area. Is it County responsibility or MTA? Mr. Tartaglia mentioned he believes it is County responsibility but he will conform and get back to the Legislator.

Legislator Walter discussed that there is a lot that says that is in a low water table. Do you have any flood mitigation as part of this project? She noted that we have lots of flooding down in that area. Mr. Uhle responded that I don't I don't think there's any particular flood mitigation

measures when we are close to the river. There are some retaining walls just to allow for the pathway to be installed. He also added that as you get closer to Oak Street some areas that are going to be cleared. The bases will be leveled out and some native grass planting installed. 500 Shrubs and 100 trees will be planted. Legislator Walter would like the Department to take a second look at the mitigation plan with the Planning Department to make sure all preventative measures will be put in place.

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

Aye: Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter and Legislator Williams

Absent: Legislator Woodson-Samuels

11. [ACT-2021-102](#) **BOND ACT(Amended)-RBR04-Bronx River Reservation**

A BOND ACT (Amended) authorizing the issuance of an additional SIX MILLION, TWO HUNDRED THOUSAND (\$6,200,000) DOLLARS in bonds of Westchester County to finance Capital Project RBR04 - Bronx River Reservation.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PARKS & RECREATION

Joint with PWT

Guests: Commissioner Kathy O'Connor and First Deputy Commissioner Peter Tartaglia- Parks & Recreation;

*Program Coordinator (Capital Planning) Robert Abbamont- Public Works & Transportation
Please refer to item #10.*

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

Aye: Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter and Legislator Williams

Absent: Legislator Woodson-Samuels

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Johnson, seconded by Legislator Walter, the Committee adjourned at 11:52 AM.