

Budget & Appropriations

BOL Meeting Minutes - Final



Committee Chair: Jewel Williams Johnson

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

Wednesday, September 27, 2023

10:00 AM

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.

The Hon. Legislator Symra Brandon will be participating remotely from the Yonkers Public Library - 1 Larkin Center, Yonkers, NY 10701.

Legislator Colin Smith will be participating remotely from 1132 Main St Suite 1 Peekskill, NY 10566.

Legislator Damon Maher will be participating remotely from the Surfjack Hotel Lobby Honolulu, Hawaii.

With a quorum present, Chair Williams Johnson called the meeting to order at 10:09 AM.

Present: Legislator Williams Johnson, Legislator Barr, Legislator Gashi, Legislator Parker and Legislator Pierce

Excused: Legislator Tubiolo

Absent: Legislator Brandon and Committee Vice-Chair Woodson-Samuels

Remote: Committee Chair Imamura, Legislator Maher and Legislator Smith

MINUTES APPROVAL

Wednesday, September 6, 2023 at 10:00 AM Minutes

On motion of Legislator Pierce, seconded by Legislator Gashi, the minutes were approved. The motion carried by the following vote:

Aye: Legislator Williams Johnson, Committee Chair Imamura, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce and Legislator Smith

Excused: Legislator Tubiolo

Absent: Legislator Brandon and Committee Vice-Chair Woodson-Samuels

I. ITEMS FOR DISCUSSION

1. [ACT-2023-193](#) ACT - Retain Bryant Rabbino LLP as Bond Counsel

AN ACT authorizing the County of Westchester to retain the law firm of Bryant Rabbino LLP as bond counsel to act in an "of counsel" capacity to the County Attorney on an "as needed" basis, for the period commencing upon execution of the agreement by both parties and terminating on July 31, 2024, and to amend the existing bond counsel agreements with the law firms of Hawkins, Delafield & Wood LLP, Norton Rose Fulbright US LLP; and Harris Beach PLLC in order to reflect the addition of the fourth bond counsel to the County.

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

Joint with LMC.

Guests: Law Department

County Attorney John Nonna

Assistant Chief Deputy County Attorney Tami Altschiller

Mr. Nonna and Ms. Altschiller discussed the item. This Act will retain the law firm of Bryant Rabbino as bond counsel to act in an of counsel capacity to the County Attorney on an as needed basis, for the period commencing upon execution of the agreement and terminating on July 31, 2024; and amend the existing agreements with Hawkins, Delafield & Wood, Norton Rose Fulbright, and Harris Beach to reflect the addition of Bryant Rabbino as a fourth bond counsel to the County that will share in the aggregate amount not to exceed \$450,000 through July 31, 2024. Mr. Nonna noted that this is a minority-owned law firm with an excellent reputation, so they will be a good addition.

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

Aye: Legislator Williams Johnson, Committee Chair Imamura, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce and Legislator Smith

Excused: Legislator Tubiolo

Absent: Legislator Brandon and Committee Vice-Chair Woodson-Samuels

2. [ACT-2023-194](#) ACT - Settlement of Workers Comp Liem "A.Y."

AN ACT authorizing the County of Westchester to compromise its claim to be reimbursed for health care expenditures and wage benefits paid to or on behalf of a County employee from a settlement of her legal action against a third-party tortfeasor.

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

Joint with LMC.

Guest: Law Department

Associate County Attorney Sean Carey

Mr. Carey discussed the item. He advised that on February 11, 2021, A.Y., a social worker for DSS, slipped and fell while trying to locate a customer's family home. She fractured her left

wrist, and required surgery. She was out of work for just over six months.

A.Y. filed a claim a Workers Compensation claim, and brought a personal injury action against the property owners. On or about June 20, 2023, A.Y. agreed to settle her personal-injury action for \$195,000, pending the County's consent. In connection with the proposed settlement, A.Y.'s counsel advised that its costs and disbursements total \$4,029.65 and the attorney's fee totals \$65,000, for a total litigation cost of \$69,029.65. Between the date of the accident and the date of the proposed settlement, the County expended medical benefits pursuant to the NYS Workers' Compensation of \$21,096.79 and indemnity (lost wage) benefits in the amount of \$53,076.22, for a total of \$74,173.01 in total County expenditures.

The County seeks authority to compromise its claim for reimbursement by reducing its lien by 35.40%, equaling a dollar reduction of \$26,257.25. The County would thereafter accept in satisfaction of its present lien a total of \$47,915.76. After the County is reimbursed and counsel fees are paid, A.Y. would receive \$78,054.59.

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

Aye: Legislator Williams Johnson, Committee Chair Imamura, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce and Legislator Smith

Excused: Legislator Tubiolo

Absent: Legislator Brandon and Committee Vice-Chair Woodson-Samuels

3. [ACT-2023-200](#) IMA-Prisoner Transportation-Harrison

AN ACT authorizing the County of Westchester to enter into an Intermunicipal Agreement with the Town of Harrison in order to provide reimbursement for prisoner transportation to the Westchester County Jail for the term January 1, 2023 through December 31, 2027.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

B&A Only.

Guests: Department of Correction

Assistant Warden Vollmer

Bill Fallon

Warden Vollmer explained that these are contract renewals for prisoner transportation agreements that have been established for many years.

Legislator Clements asked how the figures were calculated for the increases in the contract. Warden Vollmer explained the calculations are based off past contractual amounts as well as accounting for contractual raises.

Legislator Clements also asked whether the Department has additional contracts with some of the larger municipalities. Warden Vollmer said yes but they are on a different funding cycle.

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

Aye: Legislator Williams Johnson, Committee Chair Imamura, Legislator Barr, Legislator Gashi, Legislator Parker, Legislator Pierce and Legislator Smith

Excused: Legislator Tubiolo

Absent: Legislator Brandon and Committee Vice-Chair Woodson-Samuels

WO Prejudice: Legislator Maher

4. [ACT-2023-201](#) **IMA-Prisoner Transportation-21 Municipalities**

AN ACT authorizing the County of Westchester to enter into Intermunicipal Agreements with twenty-one (21) municipalities in order to provide reimbursement for prisoner transportation to the Westchester County Jail.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

B&A Only.

Guests: Department of Correction

Assistant Warden Vollmer

Bill Fallon

Warden Vollmer explained that these are contract renewals for prisoner transportation agreements that have been established for many years.

Legislator Clements asked how the figures were calculated for the increases in the contract. Warden Vollmer explained the calculations are based off past contractual amounts as well as accounting for contractual raises.

Legislator Clements also asked whether the Department has additional contracts with some of the larger municipalities. Warden Vollmer said yes but they are on a different funding cycle.

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

Aye: Legislator Williams Johnson, Committee Chair Imamura, Legislator Barr, Legislator Gashi, Legislator Parker, Legislator Pierce and Legislator Smith

Excused: Legislator Tubiolo

Absent: Legislator Brandon and Committee Vice-Chair Woodson-Samuels

WO Prejudice: Legislator Maher

5. [ACT-2023-205](#) **IMA - Village of Port Chester - National Night Out**

AN ACT authorizing the County of Westchester to enter into an inter-municipal agreement with the Village of Port Chester, acting by and through its Police Department, pursuant to which the Village of Port Chester will provide its National Night Out program within the period from January 1, 2023 through December 31, 2023 for a total amount not to exceed ONE THOUSAND (\$1,000) DOLLARS.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

B&A Only.

Guest:

Vice-Chair Nancy Barr

Legislator Barr described the successful NNO that is held by Portchester each year and emphasized Portchester's appreciation for the \$1,000 to support their efforts including the inflatables they add to the event for their children.

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

Aye: Legislator Williams Johnson, Committee Chair Imamura, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce and Legislator Smith

Excused: Legislator Tubiolo

Absent: Legislator Brandon and Committee Vice-Chair Woodson-Samuels

6. [ACT-2023-210](#) **IMA-Mobile Radios for Police Vehicles-Municipalities**

AN ACT authorizing the County of Westchester to enter into Intermunicipal Agreements with municipalities for the County to furnish the municipalities with mobile radios for their municipal police vehicles for the purpose of the parties sharing their respective radio communication systems for mutual aid purposes.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

B&A Only.

Guests: Department of Information Technology

Chief Information Officer Marguerite Beirne

Adam Epstein, Manager, Radio Systems

Danish Syed, Project Manager

Department of Emergency Services

Commissioner Richard Wishnie

Deputy Commissioner Susan Spear

Chief Michael Volk, Director of EMS and Communications Division

Noah Goldberg, Communications Division and RTC Liaison

Department of Public Safety

Captain James Greer

Sergeant Joe Spinelli

Captain Greer explained that the radios are being upgraded to correct an issue that has been going on for a few years. Because there are mutual aid events everyday, upgrading the system will help to coordinate safely.

Legislator Barr mentioned that during an earlier meeting it was discussed that these upgrades were done for the fire department 20 years ago, so this legislation is to catch everybody up.

She also mentioned a question that was brought up around using cell phones to

communicate, but it was determined this is the best way to communicate during emergencies.

Legislator Clements asked how the amount of radios for each police department be decided.

Captain Greer responded that although there are many police departments, a lot of the towns and villages only have a small number of cars deployed on a tour. Essentially it'll depend on the amount of radios the Department has taken need and practical deployment into perspective.

Legislator Smith reiterated his support for this project but wanted to ask if the upgrades that are now bringing the Police Department up to speed with the Fire Department, include the local emergency services departments. Chief Volk said that each municipality should have a designated office of emergency services and the county will allow local emergency management groups to be added to support the larger operation.

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

Aye: Legislator Williams Johnson, Committee Chair Imamura, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce and Legislator Smith

Excused: Legislator Tubiolo

Absent: Legislator Brandon and Committee Vice-Chair Woodson-Samuels

7. [ACT-2023-188](#) **ACT-WCC-Lease Extension-15 South 5th Avenue, Mount Vernon**

AN ACT authorizing the County of Westchester to exercise its first option under a lease agreement with Enclave On 5th Commercial, LLC, pursuant to which the lessor leased to the County approximately twenty-two thousand (22,000) square feet of space in the building located at 15 South 5th Avenue in Mount Vernon, as well as approximately 31 parking spaces, to be used and occupied by Westchester Community College, for the purpose of operating a satellite campus.

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

Joint with PWT.

Guests: Westchester Community College

Dr. Belinda Miles

Anthony Scordino

Stewart Glass

Teri Wisell

Mr. Glass, Ms. Wisell, and Dr. Miles discussed the item. This Act will authorize the County, on behalf of WCC, to exercise its first option under a lease agreement for 22,000 square feet of space and 31 parking spaces in a building located at 15 South 5th Avenue in Mount Vernon to be used by WCC to operate a satellite campus. The initial lease agreement commenced on January 1, 2014, and will expire on December 31, 2023. WCC wants the County to exercise the first option under the lease and extend its term by five years, to a new expiration date of December 31, 2028.

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

- Aye:** Legislator Williams Johnson, Committee Chair Imamura, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce and Legislator Smith
- Excused:** Legislator Tubiolo
- Absent:** Legislator Brandon and Committee Vice-Chair Woodson-Samuels

8. [ACT-2023-189](#) **BOND ACT-WCC82-Site Upgrade-Campus Wide**

A BOND ACT authorizing the issuance of ONE HUNDRED FIFTY THOUSAND (\$150,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC82 - Site Upgrade - Campus Wide.

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

Joint with PWT.
 Guests: Westchester Community College
 Dr. Belinda Miles
 Anthony Scordino
 Robert Cirillo, Director of Physical Plant

Mr. Cirillo, Director of Facilities for WCC, discussed the item. This Bond Act, in the amount of \$150,000, will finance the County's 50% share of Phase IV of WCC82. This phase will provide additional funding for car charging stations. WCC has advised that the total cost of Phase IV is \$300,000, of which 50% will be funded by New York State and 50% by the County.

On motion of Legislator Gashi, seconded by Legislator Williams Johnson, the above item was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

- Aye:** Legislator Williams Johnson, Committee Chair Imamura, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce and Legislator Smith
- Excused:** Legislator Tubiolo
- Absent:** Legislator Brandon and Committee Vice-Chair Woodson-Samuels

9. [ACT-2023-190](#) **BOND ACT-WCC88-Maintenance Building Infrastructure Upgrade**

A BOND ACT authorizing the issuance of ONE MILLION, ELEVEN THOUSAND (\$1,011,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC88 - Maintenance Building Infrastructure Upgrade.

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

Joint with PWT.

Guests: Westchester Community College

Dr. Belinda Miles

Anthony Scordino

Robert Cirillo, Director of Physical Plant

Mr. Cirillo and Dr. Miles discussed the item. Mr. Cirillo said this bond act will fund a complete renovation of a building now used as storage. Dr. Miles said that they would like the facility to be available for specialized academic programming.

Legislator Pierce asked what will be done to ensure the building is energy efficient. Mr. Cirillo said they will have energy efficient boilers, cooling system, and windows, and LED lighting.

Legislator Parker asked if they have a consultant looking at the technology for green infrastructure. Mr. Cirillo said this is for the design and construction phase of the project, and he will then look at a list of consultants. Legislator Parker asked that we use the term electrification instead of energy efficiency. Legislator Pierce suggested looking into heat pumps or geothermal to get away from using a boiler. Mr. Cirillo said that when he prepares the RFP for the list of consultants, he will include it.

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

Aye: Legislator Williams Johnson, Committee Chair Imamura, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce and Legislator Smith

Excused: Legislator Tubiolo

Absent: Legislator Brandon and Committee Vice-Chair Woodson-Samuels

10. [ACT-2023-191](#) **BOND ACT-WCC90-Technology Upgrade Off Campus '17-'18-'21-'22**

A BOND ACT authorizing the issuance of FIFTY THOUSAND (\$50,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC90 - Technology Upgrade Off Campus 2017/18 - 2021/22.

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

Joint with PWT.

Guests: Westchester Community College

Dr. Belinda Miles

Anthony Scordino

Garrett McAlister

Garrett McAllister, Assistant Vice President of IT for WCC, discussed the item. The Bond Act, in the amount of \$50,000, would finance the County's 50% share of Phase IV of WCC90. This phase will address the need to replace digital signage, media equipment, laptops, PCs, printers, and phones, which are all on a five-year replacement cycle. The total cost of Phase IV is \$100,000, of which 50% will be funded by New York State and 50% by the County.

On motion of Legislator Gashi, seconded by Legislator Williams Johnson, the above item was

signed by committee and referred to Board of Legislators. The motion carried by the following vote:

Aye: Legislator Williams Johnson, Committee Chair Imamura, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce and Legislator Smith

Excused: Legislator Tubiolo

Absent: Legislator Brandon and Committee Vice-Chair Woodson-Samuels

11. [ACT-2023-192](#) **BOND ACT-WCC91-Technology Upgrade On Campus '17-'18-'21-'22**

A BOND ACT authorizing the issuance of SIX HUNDRED THOUSAND (\$600,000) DOLLARS in bonds to finance Capital Project WCC91 - Technology Upgrade On-Campus 2017/18 - 2021/22.

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

Joint with PWT.

Guests: Westchester Community College

Dr. Belinda Miles

Anthony Scordino

Garrett McAlister

Mr. McAllister discussed the item. The Bond Act, in the amount of \$600,000, would finance the County's approximately 50% share of the cost of Phase IV of WCC91. This phase will include academic technology initiatives, Storage Area Network growth and replacement of media equipment; wireless enhancements, firewall replacement and digital signage replacement. It also includes laptops, PCs, phones, printers, scanners, servers, switches, tape drives, and UPS wireless, which are mostly on a five-year replacement cycle. The total cost of Phase IV is \$1,200,000, of which 50% will be funded by New York State and 50% by the County.

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

Aye: Legislator Williams Johnson, Committee Chair Imamura, Legislator Barr, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Pierce and Legislator Smith

Excused: Legislator Tubiolo

Absent: Legislator Brandon and Committee Vice-Chair Woodson-Samuels

12. [ACT-2023-187](#) **ACT - Enter into Agreement with Tromberg, Morris & Poulin re: WCC Delinquent Accounts**

AN ACT authorizing the County of Westchester to enter into an agreement with the law firm of Tromberg, Morris & Poulin, PLLC to provide legal collection services to the County of Westchester in an "of Counsel" capacity to the County Attorney in connection with the recovery of delinquent student accounts at Westchester Community College for the term September 1, 2023 through August 31, 2028, with an option on the part of the County to

extend the agreement for three additional one-year periods.

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

Joint with LMC.

Guests: Westchester Community College

Dr. Belinda Miles

Anthony Scordino

Stewart Glass

Law Department

Senior Assistant County Attorney Daniela Infield

Mr. Glass discussed the item, which will authorize the County to retain the law firm of Tromberg Morris & Poulin to provide legal collection services in an of counsel capacity to the County Attorney in connection with the recovery of delinquent student accounts at WCC for the term September 1, 2023 through August 31, 2028, with the option solely on the part of the County to extend the agreement for three additional one-year terms. The Tromberg firm (under a prior name) has been providing this service to WCC since 2014. WCC issued an RFP in April 2023, and Tromberg was the only firm to respond to WCC’s RFP in April, 2023.

Legislators Maher, Parker, and Imamura expressed concerns about student debt collection by WCC.

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

Aye: Legislator Williams Johnson, Legislator Barr, Legislator Gashi, Legislator Pierce and Legislator Smith

Nay: Committee Chair Imamura and Legislator Parker

Excused: Legislator Tubiolo

Absent: Legislator Brandon and Committee Vice-Chair Woodson-Samuels

WO Prejudice: Legislator Maher

Westchester County Second Quarter Update for Fiscal Year 2023

B&A Only.

Guest: Budget Department

Director Larry Soule

Budget Director Larry Soule appeared before the Committee to present the Westchester County Second Quarter Update for Fiscal Year 2023

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Pierce, seconded by Legislator Barr, the Committee adjourned at 12:58 PM. by the following vote:

Aye: Legislator Williams Johnson, Committee Chair Imamura, Legislator Barr, Legislator Parker and Legislator Pierce

Excused: Legislator Tubiolo

Absent: Legislator Brandon and Committee Vice-Chair Woodson-Samuels

Away: Legislator Gashi, Legislator Maher and Legislator Smith