

LOCAL LAW INTRO NO. 352 - 2023

TO: HONORABLE BOARD OF LEGISLATORS  
COUNTY OF WESTCHESTER.

Your Committee is in receipt of the attached "A LOCAL LAW subject to a permissive referendum to provide for payments of increased compensation for officers appointed for a fixed term and an elective officer (the County Clerk) during their term of office."

Your Committee notes that this Honorable Board has before it item number 2023-300, which is an Act amending the County's Pay Plan. Part of that amendment includes increases in salary for unrepresented employees and officers of the County, which includes an elected official (the County Clerk) and termed officers. This amendment does not provide a salary increase for the elected offices of County Executive or County Legislator. Pursuant to both the Laws of Westchester County and the New York Municipal Home Rule Law, these increases are subject to a permissive referendum as they increase the salaries of an elected official (the County Clerk) and termed officers during their term of office. The attached Local Law would set forth the basis for the permissive referendum, to allow those increases to go into effect.


Your Committee is informed that the attached legislation excludes the County Executive as he does not believe it to be appropriate to increase his salary during his term of office.

Your Committee is also informed that the proposed legislation does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 12, 2023, which is on file with the Clerk of the Board of Legislators. Your Committee concurs in this conclusion.

Your Committee, after careful consideration, recommends the adoption of this Local Law.

Dated: August 4<sup>th</sup>, 2023

White Plains, New York

  
Honorable Bill Johnson  
Deputy Mayor  
William M. ...  
Cathy ...  
Nancy ...

COMMITTEE ON

Budget & Appropriations

Dated: August 4, 2023  
White Plains, New York

***The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below***

Committee(s) on:

**Budget & Appropriations**

Handwritten signature of Colin J. Smith in black ink.Handwritten signature of Jeff Rein in black ink.

# FISCAL IMPACT STATEMENT

SUBJECT: Term Official Pay Amendment

NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 277,169

Total Current Year Revenue \$ 37,330

Source of Funds (check one):  Current Appropriations  Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: Various Personal Service accounts, and various State and Federal Aid accounts

Potential Related Operating Budget Expenses: Annual Amount \$277,169

Describe: Various Personal Service accounts

Potential Related Operating Budget Revenues: Annual Amount \$37,330

Describe: Various State and Federal Aid accounts

### Anticipated Savings to County and/or Impact on Department Operations:

Current Year: In 2023, net cost of \$239,840 on increased expenditures of \$277,169 and increased revenues of \$37,330

Next Four Years: In 2024, net cost of \$176,027 on increased expenditures of \$203,424 and increased revenues of \$27,398

In 2025, net cost of \$217,374 on increased expenditures of \$251,207 and increased revenues of \$33,833

Prepared by: Mark Medwid

Title: Associate Budget Director

Department: Budget

Date: August 1, 2023

Reviewed By: 

Budget Director

Date: 8/1/23

LOCAL LAW INTRO NO. 352 - 2023

A LOCAL LAW subject to a permissive referendum to provide for payments of increased compensation for officers appointed for a fixed term and an elective officer (the County Clerk) during their term of office.

BE IT ENACTED by the County Board of the County of Westchester as follows:

Section 1. The salary plan as amended by the Act that has been adopted recently (a copy of which is annexed hereto and incorporated herein by reference) is hereby made applicable to officers appointed for and an elective officer (the County Clerk) during their term of office.

Section 2. This local law shall be implemented in accordance with the aforementioned Act.

Section 3. This local law shall not be used to implement any increase in salary for the County Executive.

Section 4. The Clerk of the Board shall cause a notice of this local law to be published at least once a week for two successive weeks, the first publication of which shall be had within ten days after such local law is adopted in one or more newspapers published in the County of Westchester, selected by the Clerk for that purpose. Said notice shall contain the number, date of adoption and a true copy of this local law and a statement that so much of this local law that increases the salary of: (1) officers appointed for a fixed term during the term of office of such officer is subject to a permissive referendum pursuant to the provisions of Section 24, subdivision 2, clause h of New York Municipal Home Rule Law, and (2) an elective officer (the County Clerk) during their term of office is subject to a permissive referendum pursuant to Sections 209.171(8) and 209.181 of the Laws of Westchester County.

Section 5. This local law shall take effect forty-five days after its adoption insofar as it applies to officers appointed for a fixed term, provided however that this local law shall take effect sixty days after its adoption insofar as it applies to an elective official (the County Clerk).

STATE OF NEW YORK )  
 ) ss.  
COUNTY OF WESTCHESTER )

I HEREBY CERTIFY that I have compared the foregoing Local Law, Local Law Intro No. 352 - 2023, with the original on file in my office, and that the same is a correct transcript therefrom, and of the whole, of the said original Local Law, which was duly adopted by the County Board of Legislators, of the County of Westchester on September 18, 2023, and approved by the County Executive on September 19, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 20<sup>th</sup> day of September, 2023.



Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

