

Charter Revision Commission

BOL Meeting Minutes - Published Draft



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Tuesday, March 31, 2026

6:00 PM

Committee Room

CALL TO ORDER

With a quorum in attendance, Commission Chairman Lyndon Williams called the meeting to order at 6:15PM. The quorum for the meeting was 15.

Present Howard Permut, Timothy S. Warn, Harry P. Bittker, Carolyn B. Stevens, Beth N. Smayda, Gary J. Zuckerman, Ken Jones Esq., Shurla Tukuru, Ruth Montgomery, Nancy Seligson, Lyndon Williams, Heather Lackey, Toni Kollarmail, Mark Cardwell, Joseph Marchese, and David Alpert

Absent Eric Morrissey, Shauna Rae Long, Nancy Kaboolian, Terry Holmes-Nelson, and Lou Sanchez

MINUTES APPROVAL

On motion of Zuckerman, seconded by Alpert, the above item was approved. The motion carried.

ITEMS FOR DISCUSSION

1. Presentation by Justin Adin, Asst. Chief Deputy County Attorney
2. Review of Deliberation Protocol
3. Review of Requests

Requests by the County Executive, Board of Legislators, Departments, and Offices:

In response to Request #3 from Assistant Chief Deputy County Attorney Justin Adin, which asked the Commission to consider creating an administrative office or department consolidating functions currently handled by administrative law judges and hearing officers across different County departments and offices, the Commission previously voted to table this request at its 3/24 meeting and to invite Justin Adin for discussion at a future meeting. Justin Adin attended the 3/31 Commission meeting, presented on his proposal, and answered questions from Commissioners. The Commission voted to approve his request.

In response to Request #4 from the Office of the County Executive asked for the "Commission to review and update if needed the mission statements" for County boards and commissions "that were established before 2010 and are in need of modernization and reform," a report by the Charter Revision Commission's focus group on boards and commissions, chaired by Nancy Seligson, was submitted. Due to missing elements, the Commission previously voted at its 3/24 meeting to table this item. During the 3/31 meeting, the Commission unanimously approved the focus group's report, including its recommendations, for inclusion in the Commission's final report.

In response to Request #2 from the Department of Health, which requested amending Sec. 149.11 of the LWC so that the County Medical Examiner is no longer required to be supervised by the Commissioner of Health, the Commission previously voted at its 3/24 meeting to table this item pending additional information regarding the origins of the supervisory authority and the position of the County Executive regarding whether the Medical Examiner should report to him. At its 3/31 meeting, the Commission was informed that the statute was originally written as a condition of receiving state grant money that is no longer available, and that the County Executive's Office is fine with amending the statute to have the Office of the Medical Examiner report to the County Executive.

Request #6 by Blanca López, Commissioner of the Department of Planning, was for the Westchester County Housing Opportunity Commission to be made a subcommittee of the County Planning Board. The Charter Revision Commission previously sent this request, for further review, to its focus group on boards and commissions, which was created in response to Request #4 from the County Executive. The focus group on boards and commissions, in its report to the Charter Revision Commission, recommended approval of Commissioner López's request. The Commission voted unanimously to approve this item.

Requests by Individuals:

At its 3/24 meeting, the Commission voted to table Charter Revision Commissioner Howard Permut's Requests #3 and #4, which, respectively, would allow no-cost time extensions and amendments of small contractual value in public work contracts to each be managed by staff instead of requiring Board of Acquisition and Contract approval, pending further research. The Commission was informed of the legal impossibility of implementing each of these two proposals as drafted. Among other issues, the legal standard that would allow the County to avoid having to go out to bid for an amended public work contract is one of materiality, not a dollar amount. The Commission combined these overlapping requests and voted to approve Commissioner Permut's modified version stating that the County should research amending the LWC to allow County staff, rather than require the Board of Acquisition and Contract, to approve contractual changes that are not material in scope based on the terms of the original agreement.

Request #5 by Charter Revision Commissioner Howard Permut proposed that the LWC be amended to allow departmental staff, rather than require the Board of Acquisition and Contract, to approve project closeouts. Like Requests #3 and #4 by Commissioner Permut, he agreed to modify his proposal to be an item for further research, which was unanimously approved.

Request #1 by BOL Member Jimmy Nolan called for establishing a County Inspector General. The Commission approved a modified version of this request urging the County to further research whether an Inspector General role should be established.

Request #2 by Charter Revision Commissioner Beth Smayda proposed that the County further research adopting "fiscal performance goals consistent with best practices [from the Government Finance Officers Association] and tailored to Westchester County." This overlapped with a request by Charter Revision Commissioner Eric Morrissey that the County

“[a]dopt a formal Fund Balance policy .to establish minimum and target levels for unrestricted fund balance within the General Fund. The policy should outline parameters for maintaining adequate reserves, criteria for the use and replenishment of fund balance, and periodic review by the Department of Finance and Board of Legislators.” The Commissioners combined the requests and voted unanimously to approve a modified proposal that the County “further research adopting fiscal performance goals consistent with best practices from the Government Finance Officers Association, including a fund balance policy, and tailored to Westchester County. Request #3 by Commissioner Smayda was modified by her to state that the County should further research creating an authority for water and sewer functions to “provide for more equitable distribution of capital costs, comprehensive strategic planning and efficient financing.” This request was unanimously approved.

Charter Revision Commissioner Joseph Marchese originally submitted a request urging that “permit fees [for County parks] should not be used to generate revenue or cover maintenance costs.” He asserted that this would “make County Parks fairly accessible to all County residents. Permit fees for County Parks make it difficult to the point of effectively blocking access for non-profits and individuals.” Joe Marchese significantly modified his request to simply state that language regarding ensuring equitable access to County parks for Westchester residents and Westchester-based nonprofits should be added to Sec. 134.51 of the LWC (“Powers and duties of the [Parks, Recreation and Conservation Board]”). The request was unanimously approved.

Request #1 by Counsel Mondaire Jones sought to clarify in Sec. 194.311 of the LWC that the term of the Charter Revision Commission begins at the first meeting of the Commission. The request was unanimously approved. Request #2 proposed that the LWC expressly authorize the appointing authority for a member of the Charter Revision Commission to remove that appointee at his or her discretion. This was also unanimously approved.

BOL Member Jewel Williams Johnson submitted numerous requests. Request #1 proposed requiring that “[a]ll senior executive appointments—including commissioners, department heads, agency directors, members of boards and quasi-public entities created by Westchester County, and equivalent senior officials nominated by the County Executive shall require BOL confirmation.” The request was unanimously voted down. Request #2 proposed imposing a BOL confirmation requirement for all County Executive nominations to “independent boards, commissions, and quasi-public entities created by the County,” with exceptions for “[r]outine civil service hires, internal personnel actions, and temporary staff appointments.” The request was unanimously rejected. Request #3 proposed amending the LWC to state that BOL-confirmed appointees could only be removed before expiration of their term for cause, such as neglect of duty or misconduct, with formal notice to the BOL containing the stated grounds for removal. This request was unanimously voted down. Request #4 asked that appointees serving in holdover capacities beyond 180 days be re-submitted for BOL re-confirmation. The Commission was advised of the Law Department’s view that this request would violate state law. The request was unanimously voted down. Request #5 recommended adding a second BOL representative to the Board of Acquisition and Contract to strengthen legislative oversight. The request was rejected with 11 Commissioners opposed, 3 in favor, and 2 abstentions. Request #6 proposed requiring the County Executive to deliver the State of the County address in the BOL Chamber, which was rejected with 15 Commissioners opposed and 1 in favor. Request #7 called for establishing a Legislative

Program Evaluation Unit to conduct periodic reviews of major programs and tax expenditures, with mandatory executive responses. It was unanimously rejected.

Request #8 proposed requiring post-issuance bond reports and project delivery scorecards to be presented to the BOL. This request overlapped with Request #1 by Charter Revision Commissioner Beth Smayda and Request #1 by Charter Revision Commissioner Howard Permut, which were approved unanimously by the Commission at its 3/24 meeting. Thus, this request was approved unanimously. Request #9 proposed guaranteeing baseline staffing and professional support for the BOL, indexed to the County budget or population. It was rejected with 15 opposed and 1 abstention.

Request #10 proposed imposing “county-level pay-to-play rules, restricting contracts with vendors making significant political contributions.” The request modified to state that the County should further research this issue, and it was unanimously approved. Request #11 proposed a two-year cooling-off period prohibiting former senior executive officials from “[receiving] compensation for any services on behalf of any person, firm, corporation or association to promote or oppose, directly or indirectly, the passage of bills, resolutions, or contracts with and through the County Government.” The request was rejected with 14 Commissioners opposed and 2 in favor.

ADJOURNMENT

Moved by Zuckerman, seconded by Bittker, the Committee adjourned.