



# Public Works & Transportation

## BOL Meeting Minutes - Published Draft

Committee Chair: MaryJane Shimsky

800 Michaelian Office Bldg.  
148 Martine Avenue, 8th Floor  
White Plains, NY 10601  
[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

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Monday, September 19, 2022

10:00 AM

Committee Room

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### CALL TO ORDER

Joint with Budget & Appropriations committee

Legislator Damon Maher will be participating remotely from 39 Broadway, Suite 1920, New York, NY 10006.

*Please note: This meeting will be held in person at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 in the McPoland Conference Room # 824 and also remotely via WebEx. Legislators may participate in person or via video conferencing through WebEx. Members of the public are invited to attend the meeting in person at any of its locations or view it online at the Westchester Legislators website: <https://westchestercountyny.legistar.com/Calendar.aspx> this website also has links to the Agenda Packets containing documents to be discussed at the meeting.*

*This meeting was held pursuant to Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, which authorize any public body to meet and take such action authorized by law without permitting in public-in-person access to meetings and authorize 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. To access the meeting, please visit: <https://westchestercountyny.legistar.com>.*

*With a quorum present, Chair Shimsky called the meeting to order at 10:12 a.m.*

*Others in attendance: BOL: Legislators: Vedat Gashi and Jewel Williams Johnson; Legislators (Remote): James Nolan and Damon Maher; Greg Casciato; Marcello Figueroa, Melanie Montalto (Remote); Committee Coordinators: Jill Axelrod, Dayana Gómez, and Shatika Parker; Budget: Larry Soule, Lorraine Marzola (Remote) DEF: Vincent Kopicki, Nat Federici, Chris Gelardo, and Joe Brown; CE: Joan McDonald; Probation: Rocco Pozzi; Law: Lynne Colavita*

**Present:** Committee Chair Shimsky, Legislator Barr, Legislator Parker, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

**Absent:** Legislator Smith

### MINUTES APPROVAL

#### I. ITEMS FOR DISCUSSION

1. [ACT-2022-129](#) **ACT-2022 Operating Budget Amendment-Woodfield Cottage**

Guests: Probation Dept.: Commissioner Rocco Pozzi; Budget Dept: Budget Director Larry Soule; CE's Office: Director of Operations Joan McDonald

*Ms. McDonald explained that in 2018, it was decided that there was a need for a new facility in Valhalla because what the County had does not meet the state's legal requirements for housing and programming. The state legislation allows for the Dormitory Authority to finance, design, and construct projects. This will be a new facility, and it makes sense to use the Dormitory Authority because they have the ability to do design/build and the County does not. Doing this will shave 18 months to 2 years off the total project timeline and will save costs. It avoids having designers and contractors arguing over design elements because they are one team. The County is in negotiations with the Dormitory Authority to determine what the scope and size of the project will be. The Dormitory Authority will retain a bridge consultant to look at concepts and best practices for facilities of this nature. To start that work, we need to front \$5 million to the Dormitory Authority, so we can get to a point that the work can go to prequalified design teams.*

*Chair Shimsky asked if Ms. McDonald sees this as a model for other work we might have to do to satisfy state mandates. Ms. McDonald said it would depend on what the Dormitory Authority is authorized to do, but it's something they can look into.*

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

**Aye:** Committee Chair Shimsky, Legislator Barr, Legislator Parker, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

**Absent:** Legislator Smith

2. [RES-2022-171](#) **RES-Declaring County's Intent to Reimburse Expenditures from County's Operating Funds with Proceeds of DASNY Bonds**

Guests: Probation Dept.: Commissioner Rocco Pozzi; Budget Dept: Budget Director Larry Soule; CE's Office: Director of Operations Joan MacDonald

*See discussion of Item #1 above.*

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

**Aye:** Committee Chair Shimsky, Legislator Barr, Legislator Parker, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

**Absent:** Legislator Smith

3. [ACT-2022-132](#) **CBA-SBV95-Pumping Station Rehab Prgm-Bronx Valley SSD**

Guests: Dept. of Environmental Facilities: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Capital Program Coordinator Joe Brown

*Commissioner Kopicki discussed the item. He said this pumping station is larger than most, which is reflected in the cost of repairs. He noted that the pump station was significantly*

damaged during Ida, and they will be doing storm hardening work, which also accounts for the increased cost. Legislator Tubiolo asked when the pumping station was built. Commissioner Kopicki said he didn't know, but would find out and let him know.

Legislator Williams Johnson asked if the building was both being raised and adding a second floor to avoid future flooding. Mr. Gelardo said it is just being raised. He said there was a plan to create a second floor but during the course of design, it was determined that they could just raise the floor four feet and that would be sufficient to get it over the expected flood elevation. Legislator Williams Johnson said that the Bond Act would need to be corrected to remove the references to building a second floor. Legislator Gashi asked how this should be handled. Lynne Colavita from the Law Department said she was not involved in drafting this, but if the committee deems this to be a material item, she recommends that the Committee Report, Resolution, and Bond Act be amended. Chair Shimsky suggested voting on it as amended, and having everything corrected before the full Board votes on it.

On motion of Legislator Tubiolo, seconded by Committee Vice-Chair Woodson-Samuels, the above item was adopted as amended. The motion carried by the following vote:

**Aye:** Committee Chair Shimsky, Legislator Barr, Legislator Parker, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

**Absent:** Legislator Smith

4. [ACT-2022-133](#) **BOND ACT-SBV95-Pumping Station Rehab Prgm-Bronx Valley SSD**

Guests: Dept. of Environmental Facilities: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Capital Program Coordinator Joe Brown  
*See discussion of Item #3 above.*

On motion of Legislator Tubiolo, seconded by Committee Vice-Chair Woodson-Samuels, the above item was approved as amended. The motion carried by the following vote:

**Aye:** Committee Chair Shimsky, Legislator Barr, Legislator Parker, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

**Absent:** Legislator Smith

5. [ACT-2022-134](#) **BOND ACT(Amended)-Ref. SM095, SNR95, SNY95, SPK95**

Guests: Dept. of Environmental Facilities: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Capital Program Coordinator Joe Brown  
*See discussion of Item #3 above.*

On motion of Legislator Tubiolo, seconded by Committee Vice-Chair Woodson-Samuels, the above item was adopted as amended. The motion carried by the following vote:

**Aye:** Committee Chair Shimsky, Legislator Barr, Legislator Parker, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

**Absent:** Legislator Smith

6. [RES-2022-170](#) **PH-WD104-Shaft 22 & Kensico Dam Performance Maintenance**

Guests: Dept. of Environmental Facilities: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Capital Program Coordinator Joe Brown

*Ms. Colavita discussed the item. She said that DEF determined that a new public hearing is required because a calculation contained in the original Public Hearing Notice was incorrect. The "weighted average cost" to the typical property of the District was calculated at \$3.41 and should have been \$3.81. She noted that there were no speakers for the first public hearing, and we don't anticipate there will be any for this one.*

*Chair Shimsky asked if we know how the mistake was made. Ms. Colavita noted that this is the first time this had happened. She said that DEF had a call with the Finance Department and the State Comptroller's Office, and we are 99% sure that going forward there will not be an error.*

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

**Aye:** Committee Chair Shimsky, Legislator Barr, Legislator Parker, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

**Absent:** Legislator Smith

**II. OTHER BUSINESS**

**III. RECEIVE & FILE**

**ADJOURNMENT**

Moved by Committee Vice-Chair Woodson-Samuels, seconded by Legislator Tubiolo, the Committee adjourned at [insert time]. by the following vote:

**Aye:** Committee Chair Shimsky, Legislator Barr, Legislator Parker, Legislator Tubiolo and Committee Vice-Chair Woodson-Samuels

**Absent:** Legislator Smith