



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, March 1, 2021

10:00 AM

Committee Room

CALL TO ORDER

Meeting jointly with the Committees on Public Safety, Public Works & Transportation and Environment & Health

With a quorum present, Chair Borgia called the meeting to order at 10:06AM.

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: Kitley Covill, James Silverberg, Jason Chervokas, Alessandra Restiano Remote: MaryJane Shimsky, Colin Smith DES Remote: Richard Wishnie, Susan Spear, Neil Caputo, William Dingee DEF Remote: Nat Federici, CJ Gelardo DOH Remote: Delroy Taylor, Heather McVeigh WPLB Remote: Tom Carey, Jen Puja

Present: Legislator Borgia, Legislator Boykin and Legislator Tubiolo

Remote: Legislator Barr, Legislator Cunzio, Legislator Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [ACT-2021-30](#) **IMA-Fire Suppression Services-Hawthorne Fire District**

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the Hawthorne Fire District to provide specialized training and fire suppression services for a two (2) year term commencing on January 1, 2021 and expiring on December 31, 2022 in an aggregate amount not to exceed TWENTY-SIX THOUSAND (\$26,000) DOLLARS.

Submitted by: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

Joint with PS

Guests: Commissioner Wishnie, Deputy Commissioner Spear, Chief Dingee and Chief Caputo- DES

Commissioner Wishnie, Deputy Commissioner Spear, Chief Caputo and Chief Dingee joined the joint committees to discuss item # 2021-166 IMA- Fire Suppression Services- Hawthorne Fire District. This is an Act that would authorize the County by acting through its Department of Emergency Services, to enter into an agreement with the Hawthorne Fire District for a two year term, commencing on January 1, 2021 and ending on December 31, 2022. The District will pay \$26,000 for services provided. The District will participate in specialized training and activities at the Grasslands Fire Brigade. Mr. Wishnie discussed both of these item together, IMA with the Valhalla Fire District and the IMA with the Hawthorne Fire District. The agreement requires the District to respond to the call at the complex, they are trained by their professionals, the District must provide their own equipment at their cost and they are trained on specialized equipment. He explained that the Hawthorne District is in the amount of \$26,000, and that is because it only has 2.5 buildings located with in the Grasslands Campus. The Valhalla Districts in the amount of \$90,000 has a majority of the Grasslands Campus within their District. Chairwoman Borgia also noted that the Hawthorne agreement states that 3 people are required to train and to respond and the Valhalla agreement states their are 6 people required to be trained and respond. Mr. Wishnie added that each of them are required to have 24 fire fighters able to respond. Chief Dingee and Chief Caputo explained the details of the training.

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

Aye: Legislator Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Legislator Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

2. [ACT-2021-31](#) **IMA-Fire Suppression Services-Valhalla Fire District**

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the Valhalla Fire District to provide specialized training and fire suppression services for a two (2) year term commencing on January 1, 2021 and expiring on December 31, 2022 in an aggregate amount not to exceed NINETY THOUSAND (\$90,000) DOLLARS.

Submitted by: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

Joint with PS

Guests: Commissioner Wishnie, Deputy Commissioner Spear, Chief Dingee and Chief Caputo - DES
Commissioner Wishnie, Deputy Commissioner Spear, Chief Caputo and Chief Dingee joined the joint committees to discuss item # 2021-167 IMA- Fire Suppression Services- Valhalla Fire District. This is an Act that would authorize the County by acting through its Department of Emergency Services, to enter into an agreement with the Hawthorne Fire District for a two year term, commencing on January 1, 2021 and ending on December 31, 2022. The District will pay \$90,000 for services provided. The District will participate in specialized training and activities at the Grasslands Fire Brigade. Mr. Wishnie discussed both of these item together, IMA with the Valhalla Fire District and the IMA with the Hawthorne Fire District. The agreement requires the District to respond to the call at the complex, they are trained by their professionals, the District must provide their own equipment at their cost and they are trained on specialized equipment. He explained that the Hawthorne District is in the amount of \$26,000, and that is because it only has 2.5 buildings located with in the Grasslands Campus. The Valhalla Districts in the amount of \$90,000 has a majority of the Grasslands Campus within their District. Chairwoman Borgia also noted that the Hawthorne agreement states that

3 people are required to train and to respond and the Valhalla agreement states their are 6 people required to be trained and respond. Mr. Wishnie added that each of them are required to have 24 fire fighters able to respond. Chief Dingee and Chief Caputo explained the details of the training.

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

Aye: Legislator Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Legislator Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

3. [ACT-2021-32](#) **BOND ACT(Amended)-SPC38-Port Chester WRRF Primary Settling Tank Rehab.**

A BOND ACT (Amended) authorizing the issuance of ONE MILLION, FIVE HUNDRED THOUSAND (\$1,500,000) DOLLARS in additional bonds of Westchester County to finance Capital Project SPC38 - Port Chester Water Resource Recovery Facility - Primary Settling Tank Rehab. and Misc. Improvements.

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

Joint with PWT

Guest: Deputy Commissioner Federici and CJ Gelardo, Capital Program Coordinator - DEF

Deputy Commissioner Federici and Capital Program Coordinator Gelardo came before the joint committees to discuss item # 2021-185 Bond Act (Amended) - SPC38-Port Chester WRRF Primary Settling Tank Rehabilitation. This is a Bond Act in the amount of \$7,400,000, which includes \$5,900,000 in previously authorized bonds to finance additional construction funding for the rehabilitation of the Primary Settling Tank at the Port Chester Water Resource Recovery Facility. The additional \$1,500,000 will fund the replacement of the influent channel concrete roof slabs and the primary sludge piping system influent channel span beams, repair of the masonry walls and coping stones, replacement of the fire protections system and the installation of a new fire pump system, influent wet well rehabilitation, replacement of effluent pump piping and valves and upgrading of all chemical containment areas plant wide. Design has been completed and construction will take 18 months. Chairwoman Borgia has asked if we had any other detail on the tanks. She noted that the tanks were built in 1962 and acquired by the County in 1975 when was the last time we did work on them. Deputy Commissioner Federici stated that work has not done any work on the tanks since 1975. Legislator Shimsky asked if an explanation of why the work is needed could be added to the committee report. The following paragraph was revised and reads;

"The Department of Environmental Facilities ("Department") has advised that the structures and equipment to be improved by SPC38 are part of the original facility which was built by the Village of Port Chester in approximately 1962 and were acquired by the County in 1975. Those structures and pieces of equipment have exceed their useful lives and require replacement. The Department has further advised that the additional construction funding is necessary for escalation costs associated with the project being bid a year later than originally anticipated due to COVID delays and to ensure there is enough funding to award the bid alternates."

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

Aye: Legislator Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Legislator Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

4. [ACT-2021-29](#) **IMA-Watershed Delegation-NYCDEP**

AN ACT authorizing the County of Westchester to renew an intermunicipal agreement with the New York City Department of Environmental Protection for the delegation to the County of Westchester the administration and enforcement of Section 18-38 of Subchapter G of New York City's "Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources", whereby the County will review and issue written determinations for all new, altered, modified, or remediated subsurface sewage treatment systems located in the portion of the watershed of the New York City water supply situated within Westchester County.

Submitted by: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH

Joint with PWT & EH

Guests: Delroy Taylor, P.E & Heather McVeigh, Senior Engineer - DOH

Legislator Borgia introduced Heather McVeigh and Delroy Taylor and discussed item # 2021-165 the IMA Watershed Delegation NYCDEP to authorize the County of Westchester to renew an intermunicipal agreement with the New York City Department of Environmental Protection (the "NYCDEP"), pursuant to which the NYCDEP will delegate to the County, acting through its Department of Health (DOH). The DOH will continue to review and issue written determinations for all new, altered, modified, or remediated subsurface sewage treatment systems located in the portion of the watershed of the New York City water supply situated within Westchester County. The renewal will be for a five year period effective January 1, 2021 and terminating on December 30, 2025. Chair Borgia of the Budget & Appropriations Committee asked if there were any changes, in which there are none. Chair Walter of the Environment & Health Committee asked where are the water ways? The County Planning Department has maps showing where the watersheds are. Legislator Covill asked if part of this agreement gives administrative reimbursements. Mr. Grande confirmed there are no reimbursements.

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

Aye: Legislator Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Legislator Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

II. OTHER BUSINESS

1. Labor Subcommittee Discussion

Guests: Tom Carey, President WPCLB, Jen Puja, Labor Council Director WPCLB

Tom Carey, President of WPCLB and Jen Puja Labor Council Director WPCLB joined the committee to discuss the re-establishment of the Labor Subcommittee a subcommittee of the Committee on Budget and Appropriations. Chair Borgia discussed that we are going to re-establish our meetings, and Legislator Tubiolo and Legislator Walter will be the co-chairs of the subcommittee. She noted that this committee is a non voting committee and its purpose is to have an open dialog between the Labor Council and the Board of Legislators. The goal is to hold monthly meetings with the Legislators and WPCLB members. Legislator Tubiolo commented that the purpose of the committee is to have open communication to discuss any issues and concerns of the members of both boards. Chairwoman Borgia said that it is important to discuss labor issues, and we want to make sure we are on the same page; even when we disagree it is important to have the conversation. Every member of the Board is welcome to attend the meetings. We do not always know how some issues will effect labor. She said it is a good way to learn about new ideas and openly discuss any issues. Legislator Walter is excited to lend her voice to issues that are facing labor. The more we communicate, the more we understand, the more we become effective advocates and craft legislation to help the residents of Westchester. For the time being, all meetings will be held remotely at the Board of Legislators, with hopes of having in person meetings later this year.

III. RECEIVE & FILE

1. [2021-186](#) CLERK OF THE BOARD - Peekskill Sanitary Sewer Inclusion - Hill and Dale Rd.

Forwarding a Resolution adopted by the Town Board of the Town of Cortlandt requesting an inclusion to the Peekskill Sanitary Sewer District for a parcel located at Hill and Dale Road, Cortlandt Manor.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH

On motion of Legislator Gashi, seconded by Legislator Barr, the above item was received, filed, and approved. The motion carried by the following vote:

Aye: Legislator Borgia, Legislator Barr, Legislator Boykin, Legislator Cunzio, Legislator Gashi, Legislator Johnson, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

ADJOURNMENT

Moved by Legislator Walter, seconded by Legislator Tubiolo, the Committee adjourned at 11:32AM.