



# Budget & Appropriations

## BOL Meeting Minutes - Final

Committee Chair: Vedat Gashi

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

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Monday, April 11, 2022

10:00 AM

Committee Room

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### CALL TO ORDER

Meeting jointly with the Committees on Parks & Recreation, Public Works & Transportation, Law & Major Contracts, and Housing

*This meeting will be held pursuant to Chapter 56 of the New York State Laws of 2022, 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 Gashi called the meeting to order at 10:14 AM.*

**Present:** Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Pierce, Committee Vice-Chair Shimsky, Legislator Williams Johnson and Legislator Woodson-Samuels

**Absent:** Legislator Smith

**Remote:** Legislator Borgia, Legislator Nolan, Legislator Parker and Legislator Tubiolo

### MINUTES APPROVAL

Monday, March 7, 2022 at 10:00 AM Minutes

On motion of Legislator Woodson-Samuels, seconded by Legislator Pierce, the minutes were approved. The motion carried unanimously.

### I. ITEMS FOR DISCUSSION

#### [ACT-2022-48](#) [CBA-RMF02 & BLA1A](#)

AN ACT amending the 2022 County Capital Budget Appropriations for Capital Project RMF02 - Reconstruction of Memorial Field, Mt. Vernon; & BLA1A - Parkland & Historical Preservation Program (4th Street Playground, Mt. Vernon).

**Submitted by: COMMITTEES ON BUDGET & APPROPRIATIONS, PARKS & RECREATION, PUBLIC WORKS & TRANSPORTATION AND LAW & MAJOR CONTRACTS**

Joint with P&R, PW&T, and L&MC.

Guest: Department of Public Works & Transportation

Commissioner Greechan

Associate County Attorney David Vutera-LAW

*Commissioner Greechan said additional funds are needed for Memorial Field because the*

*project had a number of unforeseen issues from the beginning: contaminated soil, rock buried in the soil and under the stands, which required redesigning the foundations. They also changed the footprint to an 8-lane track. They also found unstable rock on the side of a hill which required the addition of concrete walls, which was a major change order. They added new drainage and hooked up to the sanitary sewer, and added sidewalks around the whole perimeter of the stadium and decorative fencing. All of those change orders cost \$6 million. They also added a scoreboard which was not the County's responsibility at the beginning of the project, which was \$1.2 million. There were also modifications to site work and building design to make the area more functional, which cost around \$2 million. Due to COVID, they have also had supply chain issues. The total request with some buffer put in is \$10 million.*

*Legislator Maher said he had previously requested a diagram with the location and number of borings that were done in the area of the grandstand. Senior Engineer Susie Ghabour said there were approximately 38 borings for the whole site; 26 in the grandstand, which is within normal range for a site like this. He asked if Ground Penetrating Radar(GPR) was used. Ms. Ghabour said GPR is not used for this type of site; it is usually used to locate utilities or for something where you cannot take borings. Commissioner Greechan said you would not use GPR on a facility this size. Commissioner Greechan said he will get back to Legislator Maher with the actual location and site plan of where the borings were taken.*

*Legislator Maher asked who decided on the configuration of the track. Ms. Ghabour said the consultant. The original footprint was only able to fit six lanes; they were able add two lanes. Based on the size of the site, they were only able to design it as a high school competition track, not NCAA or Olympic. Legislator Maher asked if the scoreboard was a surprise. Commissioner Greechan said it was not; the scoreboard was taken out of the original bid for budgetary reasons. Just the foundation and conduits were included. The scoreboard itself was going to be installed by Iona College. Ms. Ghabour said they have moved the conduits to a new location to put a double sided scoreboard which will have greater visibility for advertising. Legislator Maher noted that state law provides that an advertising billboard can't be within 500 feet of a parkway, and the law department should review that.*

*Legislator Parker asked if Mount Vernon is aware of the fact that the track will not be college or Olympic sized, and Legislator Woodson-Samuels said he has brought it up and they are fully aware. Chairman Greechan noted that this is a footprint issue; not only would the width of the track have to increase to go beyond high school competition size, the radius would increase, which is a significant increase in size. Ms. Ghabour noted that the cost to increase the size would be exhorbitant. Legislator Woodson-Samuels noted that Mount Vernon was willing to compromise on the track in order to ensure the project is completed.*

*Legislator Maher asked the see the general contractors requisitions for the last six months.*

*He also asked to discuss the idea of a sports authority to monitor income, and creating a capital fund for future repairs. Chair Borgia said that would need to be discussed with Mt. Vernon separate from these bond acts.*

*On motion of Legislator Woodson-Samuels, seconded by Legislator Borgia, the above item was signed by committee. The motion carried by the following vote:*

**Aye:** Committee Chair Gashi, Legislator Barr, Legislator Borgia, Legislator Nolan, Legislator Pierce, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

**Absent:** Legislator Smith

**WO Prejudice:** Legislator Maher and Legislator Parker

**[ACT-2022-49](#) **BOND ACT-RMF02-Reconstruction of Memorial Field, Mount Vernon****

A BOND ACT authorizing the issuance of TEN MILLION (\$10,000,000) DOLLARS in bonds of Westchester County to finance the cost of additional work associated with Capital Project RMF02 - Memorial Field, Mt. Vernon.

**Submitted by: COMMITTEES ON BUDGET & APPROPRIATIONS, PARKS & RECREATION, PUBLIC WORKS & TRANSPORTATION AND LAW & MAJOR CONTRACTS**

Joint with P&R, PW&T, and L&MC.

Guest: Department of Public Works & Transportation  
Commissioner Greechan

Associate County Attorney David Vutera-LAW

*Please refer to item #1.*

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

**Aye:** Committee Chair Gashi, Legislator Barr, Legislator Borgia, Legislator Nolan, Legislator Pierce, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

**Absent:** Legislator Smith

**WO Prejudice:** Legislator Maher and Legislator Parker

**[RES-2022-52](#) **PH-Amendment to IMA-Mount Vernon-Memorial Field****

A Public Hearing on "A LOCAL LAW authorizing the County of Westchester to enter into a third amendment to an intermunicipal agreement with the City of Mount Vernon for the design and construction of improvements to Memorial Field, in order to provide for additional work to be performed by the County due to unforeseen site conditions and to increase the County's commitment to finance the improvements to a total amount of FORTY MILLION, EIGHT HUNDRED NINETY-NINE THOUSAND (\$40,899,000) DOLLARS." Public Hearing set for April 25, 2022 at 7:30 p.m. LOCAL LAW INTRO: 2022-184.

**Submitted by: COMMITTEES ON BUDGET & APPROPRIATIONS, PARKS & RECREATION, PUBLIC WORKS & TRANSPORTATION AND LAW & MAJOR CONTRACTS**

Joint with P&R, PW&T, and L&MC.

Guest: Department of Public Works & Transportation  
Commissioner Greechan

Associate County Attorney David Vutera-LAW

*Please refer to item #1.*

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

**Aye:** Committee Chair Gashi, Legislator Barr, Legislator Borgia, Legislator Nolan, Legislator Pierce, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

**Absent:** Legislator Smith

**WO Prejudice:** Legislator Maher and Legislator Parker

[LL-2022-](#) **LOCAL LAW-Amendment to IMA-Mount Vernon-Memorial Field**

A LOCAL LAW authorizing the County of Westchester to enter into a third amendment to an intermunicipal agreement with the City of Mount Vernon for the design and construction of improvements to Memorial Field, in order to provide for additional work to be performed by the County due to unforeseen site conditions and to increase the County's commitment to finance the improvements to a total amount of FORTY MILLION, EIGHT HUNDRED NINETY-NINE THOUSAND (\$40,899,000) DOLLARS.

***Submitted by: COMMITTEES ON BUDGET & APPROPRIATIONS, PARKS & RECREATION, PUBLIC WORKS & TRANSPORTATION AND LAW & MAJOR CONTRACTS***

Joint with P&R, PW&T, and L&MC.

Guest: Department of Public Works & Transportation  
Commissioner Greechan

Associate County Attorney David Vutera-LAW

*Please refer to item #1.*

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

**Aye:** Committee Chair Gashi, Legislator Barr, Legislator Borgia, Legislator Nolan, Legislator Pierce, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

**Absent:** Legislator Smith

**WO Prejudice:** Legislator Maher and Legislator Parker

[ACT-2022-30](#) **BOND ACT-RP02A-Ice Casino Improvements II**

A BOND ACT authorizing the issuance of EIGHTEEN MILLION, SIX HUNDRED NINETY SEVEN THOUSAND (\$18,697,000) DOLLARS in bonds of Westchester County to finance Capital Project RP02A - Ice Casino Improvements II.

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

Joint with PW&T.

Guests: Department of Parks & Recreation

Commissioner O'Connor

First Deputy Commissioner Tartaglia

Jim Antonaccio

*First Deputy Commissioner Tartaglia said we are in dire need of this work because we only have the main rink open because the studio rink has been shut down due to the condition of the building. Commissioner O'Connor said that the County does not operate the Ice Casino at this point. American Skating Academy has a 10-year management agreement to run it, and the County is the landlord. Legislator Maher asked what obligations American Skating Academy has. Mr. Tartaglia said that pursuant to their contract, they were responsible for adding locker rooms, which they did. They were going to make some changes to the lobby, but HVAC issues arose over the last few years, so they took care of that instead. They have done what they were obligated to do.*

*Legislator Parker said that when the committees were discussing approval of the management agreement back in 2014, there was no discussion of the projects being discussed now. She also noted that when the committees discussed replacing the roof in 2014 after Superstorm Sandy, it was stated that after the roof and the boiler, the County wouldn't have to do anything further. The lobby and small rinks upstairs were in American's bucket and is now suddenly in the county's bucket. This shows why having a private entity run our facility does not work. The County is continually having all the expenses on our side and most of the revenues go somewhere else.*

*Legislator Parker asked Mr. Tartaglia to send the original agreement to all legislators. He said he would send the agreement and its amendments. Legislator Maher asked for a breakdown of employment demographics.*

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

**Absent:** Legislator Smith

**WO Prejudice:** Committee Chair Gashi, Legislator Barr, Legislator Borgia, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

**[ACT-2022-28](#) BOND ACT-BPL1A-23 Mulberry Street, Yonkers**

A BOND ACT authorizing the issuance of THREE MILLION, FIVE HUNDRED THOUSAND (\$3,500,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL 1A - Housing Implementation Fund II.

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

Joint with PW&T and Housing.

Guests: Department of Planning

Commissioner Drummond

Deputy Commissioner Lopez

Program Administrator (Housing & Community Development) Gruenfeld

*Commissioner Drummond discussed the item. Legislator Pierce asked what the benefit of the passive construction is. Commissioner Drummond said the immediate benefit is that the energy costs should be lower. Mr. Gruenfeld said every system in the building is green to the highest degree possible, which should create savings in the operation of the building.*

*Legislator Woodson-Samuels asked for a timeline for completion. Mr. Gruenfeld said they started construction in January, so occupancy should start in about 18-24 months.*

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

**Aye:** Committee Chair Gashi, Legislator Barr, Legislator Borgia, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

**Absent:** Legislator Smith

**[ACT-2022-29](#) ACT-IMDA-Yonkers & La Mora, LLC-23 Mulberry Street, Yonkers**

AN ACT authorizing the County of Westchester (the "County") to enter into an inter-municipal developer agreement with the City of Yonkers and La Mora, LLC, its successors or assigns, to fund certain infrastructure improvements as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, all for the purpose of constructing 60 senior affordable rental units at 23 Mulberry Street in the City of Yonkers, that will affirmatively further fair housing and remain affordable for a period of not less than 50 years.

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

Joint with PW&T and Housing.

Guests: Department of Planning

Commissioner Drummond

Deputy Commissioner Lopez

Program Administrator (Housing & Community Development) Gruenfeld

*Please refer to item #6.*

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

**Aye:** Committee Chair Gashi, Legislator Barr, Legislator Borgia, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

**Absent:** Legislator Smith

## **II. OTHER BUSINESS**

### **III. RECEIVE & FILE**

#### **ADJOURNMENT**

Moved by Legislator Tubiolo, seconded by Legislator Nolan, the Committee adjourned at 12:00 PM.