



# 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

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**Monday, April 12, 2021**

**10:00 AM**

**Committee Room**

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### **CALL TO ORDER**

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

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

*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: Alessandra Restiano, Jill Axelrod, Elizabeth LoBello, James Silverberg, Lisa Hochman, Melanie Montalto BOL Remote: Kitley Covill, MaryJane Shimsky, Colin Smith LAW: John Nonna LAW Remote: Tami Altschiller, Elizabeth Sacksteder DPW/T Remote: Hugh Greechan, Robert Abbamont, Mike Swee COUNTY CLERK Remote: Tim Idoni PARKS Remote: Peter Tartaglia, Ken Uhle Budget Remote: Gideon Grande GUESTS Remote: Josh Cohn, Beth Ann Smith*

**Present:** Committee Chair Borgia, Legislator Barr, Legislator Boykin, Legislator Maher and Legislator Tubiolo

**Remote:** Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson, Legislator Parker, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

### **MINUTES APPROVAL**

#### ***Monday, April 5, 2021 10AM Minutes***

On motion of Legislator Barr, seconded by Legislator Tubiolo, the minutes were approved. The motion carried unanimously.

#### ***Wednesday, April 7, 2021 10 AM Minutes***

On motion of Legislator Barr, seconded by Legislator Johnson, the minutes were approved. The motion carried unanimously.

## I. ITEMS FOR DISCUSSION

### 1. [ACT-2021-48](#) CBA-B0082-Low Rise Building Renovation, White Plains

AN ACT amending the 2021 County Capital Budget Appropriations for Capital Project - B0082 - Low Rise Building Renovation, White Plains.

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

*joint with PWT*

*Guests: Commissioner Greechan, Program Coordinator (Capital Planning) Robert Abbamont - DPW/T; County Clerk Tim Idoni, Assistant to the County Clerk Carol Arcuri*  
*Commissioner Greechan and Robert Abbamont from the Department of Public Works & Transportation joined County Clerk Idoni to discuss the Capital Budget Amendment (CBA) and related Bond Act for capital project B0082- Low Rise Building Renovations, White Plains. The CBA will amend the County's Capital Budget by \$9,015,000. The additional funding is required based on the cost estimate of the scope of work. The work will include replacement of the expansion joints on both sides of the building that spans Dr. Martin Luther King, Jr. Boulevard, replacement of the HVAC distribution system and install a fire suppression system on the other floors. These components were not contemplated in the original scope of work. The related Bond Act in the amount of \$17,345,000 which includes \$700,000 in previously authorized bond, will finance the cost of design, construction and construction management of the renovations. County Clerk Idoni noted he approved of the design and in favor of the work and has no issue. Mr. Abbamont stated this is specific to the third floor of the building and that is primarily the County Clerk's office. The original cost estimate was done in 2007, it is a full renovation of the building. He also discussed that due to the building codes, they needed to add in a fire suppression system in order to bring it to code. The project is in design and at 90% complete and work will be done by consultants. Work will take about 18 months to complete. He did note that renovations have not been done since the 1970. Chairwoman Borgia asked why the fire suppression was not included in the original scope of work? Mr. Abbamont said when the original work was done the fire suppression was not required, today the fire suppression is necessary to bring it up to code.*

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

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

### 2. [ACT-2021-49](#) BOND ACT(Amended)-B0082-Low Rise Building Renovation, White Plains

A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of SIXTEEN MILLION, SIX HUNDRED FORTY FIVE THOUSAND (\$16,645,000) DOLLARS to finance Capital Project B0082 - Low Rise Building Renovation, White Plains.

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

*joint with PWT*

*Guests: Commissioner Greechan, Program Coordinator (Capital Planning) Robert Abbamont - DPW/T; County Clerk Tim Idoni, Assistant to the County Clerk Carol Arcuri*

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

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

3. [ACT-2021-50](#) **CBA-B0104-Low Rise Building Improvements, White Plains '15-'19**

AN ACT amending the 2021 County Capital Budget Appropriations for Capital Project - B0104 - Low Rise Building Improvements, White Plains (2015-2019).

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

*joint with PWT*

*Guests: Commissioner Greechan, Program Coordinator (Capital Planning) Robert Abbamont - DPW/T Commissioner Greechan and Robert Abbamont from the Department of Public Works & Transportation came to the joint meeting to discuss the Capital Budget Amendment (CBA) and related Bond Act for capital project B0104- Low Rise Building Improvements, White Plains '15-'19. The CBA will amend the County's Capital Budget by \$7,260,000. The additional funding is required based on the cost estimate of the scope of work. The work will include renovation of the lobbies and hallways as well as installation of a fire suppression system on the first and second floors of the County's Low Rise Buildings located at 110 Dr. MArtin Luther King Jr. Boulevard in White Plains. This is a companion project to B0082 providing installation of the fire suppression on the third floor. These components were not contemplated in the original scope of work. The related Bond Act in the amount of \$10,360,000 which includes \$250,000 in previously authorized bonds. The Bond Act will finance the cost of infrastructure improvements including upgrades to the building mechanical systems, installation of fire sprinklers throughout the first and second floors, renovations to the lobbies and hallways of the first and second floors. Mr. Abbamont stated that this addresses the mechanical infrastructure of the building. He said this was originally a 2016 request. This project will complete renovation for the entire building and the plan is that the two projects will be completed at the same time.*

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

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

4. [ACT-2021-51](#) **BOND ACT(Amended)-B0104-Low Rise Building Improvements, White Plains '15-'19**

A BOND ACT (Amended) authorizing the issuance of an additional TEN MILLION , ONE HUNDRED ELEVEN THOUSAND (\$10,111,000) DOLLARS in bonds of Westchester County to finance Capital Project B0104 - Low Rise Building Improvements, White Plains

(2015-2019).

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

*joint with PWT*

*Guests: Commissioner Greechan, Program Coordinator (Capital Planning) Robert Abbamont - DPW/T*

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

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

5. [ACT-2021-52](#) **CBA-B015D-Interior Infrast Repairs, White Plains Complex '16-'20**

AN ACT amending the 2021 County Capital Budget Appropriations for Capital Project - B015D - Interior Infrastructure Repairs, White Plains Complex (2016-2020).

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

*joint with PWT*

*Guests: Commissioner Greechan, Program Coordinator (Capital Planning) Robert Abbamont - DPW/T*

*Commissioner Greechan and Robert Abbamont from the Department of Public Works & Transportation came to the joint meeting to discuss the Capital Budget Amendment (CBA) and related Bond Act for capital project B015D- Interior Infrastructure Repairs, White Plains. The CBA will amend the County's Capital Budget by \$220,000. The additional funding was required due to cost escalation. The work will include design, construction management and construction with the rehabilitation the judge's elevator in the Richard Daranco Westchester County Courthouse, two passenger elevators in the Low Rise Building and the passenger elevators at 143 Grand Street. The related Bond Act in the amount of \$3,870,00 will finance the cost of elevator improvements. The elevators and related systems have exceeded all intended services expectation and are becoming difficult to repair. Mr. Abbamont stated the project was slated to be done in 2017 which is the reason for the cost escalation.*

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

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

6. [ACT-2021-53](#) **BOND ACT-B015D-Interior Infrast Repairs, White Plains Complex '16-'20**

A BOND ACT authorizing the issuance of THREE MILLION, EIGHT HUNDRED SEVENTY THOUSAND (\$3,870,000) DOLLARS in bonds of Westchester County to finance Capital Project B015D - Interior Infrastructure Repairs, White Plains Complex (2016-2020).

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

*joint with PWT*

*Guests: Commissioner Greechan, Program Coordinator (Capital Planning) Robert Abbamont - DPW/T*

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

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

7. [ACT-2021-54](#) **BOND ACT-T0048-Central Maintenance Fac. Roof Alterations**

A BOND ACT authorizing the issuance of EIGHT HUNDRED SIXTY THOUSAND (\$860,000) DOLLARS in bonds of Westchester County to finance Capital Project T0048 - Central Maintenance Facility Roof Alterations.

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

*joint with PWT*

*Guests: Commissioner Greechan, Program Coordinator (Capital Planning) Robert Abbamont - DPW/T*

*Commissioner Greechan and Robert Abbamont from the Department of Public Works & Transportation joined the joint meeting to discuss T0048- Central Maintenance Facilities Roof Alterations. This is Bond Act in the amount of \$860,000 to finance the costs of improvements to the County's Central Maintenance Facility in Yonkers, including the replacement of the roof on the high rise portion. The roof was installed in 1982 and has exceeded its useful life and no longer under warranty. Commissioner Greechan discussed that this project will meet the new energy standards. Legislator Shimsky asked about the use of solar? Mr. Abbamont discussed that this facilities is a part of an ongoing project with New York Power Authority and the another entity to put solar on the building. She asked about energy efficiency box on the capital budget sheet. Mr. Abbamont mentioned that it should have been checked. The committees both agreed and the box was checked and legislation amended.*

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

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

8. [2021-225](#) **ENV RES-RMAC4-Woodlands Lake Dam at V.E. Macy Park**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from Capital Project RMAC4 - Woodlands Lake Dam at V.E. Macy Park.

**Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PARKS & RECREATION**

*joint with PWT & PR*

*Guests: Commissioner O'Connor, Deputy Commissioner Tartaglia - PRC; Commissioner Greechan, Program Coordinator (Capital Planning) Robert Abbamont - DPW/T*

*Deputy Commissioner Tartaglia of the Department of Parks & Recreation joined the joint*

committees to discuss RMAC4- Woodlands Lake Dam at V.E. Macy Park. This is a Bond Act in the amount of \$5,000,000 that would finance the cost of the removal of a portion of the existing Woodlands Lake Dam at V.E. Macy Park in Ardsley, stabilize and reconstruct the river adjacent to the dam, replace the bridge and railing, as well as infrastructure and site work. This project provides funding for extensive repairs to the component dam, bridge and sidewalk, as well as decommissioning the dam. It is noted that the dam is in poor condition and is within the permitting threshold of NYS Department of Environmental Conservation. Work will include rebuilding the masonry, repairs to the bridge structure, repointing and regrouting, installation of shot-crete, concrete and reinforcement bars, as well as waterproofing, railing replacement and new asphalt pavement; Site work and safety items including additional railing, curbing, and shoreline stabilization adjacent to the dam and spillway and complete revegetation of the former lake basin. Beth Ann Smith of GHD Engineers joined the meeting as well as Ken Uhle of the Parks Department. Deputy Commissioner Tartaglia discussed that this project dates back to 2013. It has been graded a class C dam, which is a high hazard dam by the DEC. The Department has worked with their consultant and the DPW to determine the best course of action. The best solution is to decommission the dam, this was the most ecologically friendly solution. The lake will need to be dredged, and design is at 100%. Once approved by the Board, the Department can apply for permits. The plan is to slowly drain the lake to allow animals to adjust and migrate to the river flow. A small carpe dam will be created for the fish.

A major question raised was will the decommissioning of the dam cause additional flooding. Beth Ann Smith of GHD Engineering answered that they have done a lot of modeling one with the dam in place and one with the dam removed. With the dam removed, water will rise but not as high as it was before. There is places within the park that would have an increase in water levels at the 100 year storm. Flooding that occurred before further down will not be effected. It would add some flooding was less than to 2 feet and upstream about 5,000 to 6,000 feet.

Legislator Shimsky who represents Ardsley and the surrounding municipalities had many questions as well as questions from the Mayor of Ardsley. She also feels that the surrounding municipalities need be brought into the conversation. Deputy Commissioner Tartaglia agreed and said that it would not be an issue and be happy to speak with the surrounding municipalities.

Will there be any impact on the park during construction? Ken Uhle replied, the public will have access but not to the entire park, they are anticipating keeping the park open.

Will disturbed more than one acre and will this cause storm water runoff? Why is the answer on the Environment Assessment Form- no? Ms. Smith responded that taking an impoundment, water will not be across the entire way, it will only be in the low flow channel. The rest will be vegetated and graded towards the channel. Any storm water to the edge will be guided to the flow channel (which is the new river). Impoundment is the area back up behind the dam. Native and rain garden plants will be used.

Are we dredging out the impoundment area? Ms. Smith stated, not the entire area, only where the channel flow area. Ms. Shimsky asked are we re-using what we dredge? Ms. Smith, yes, the not acceptable materials will be removed. Who will be doing the dredging? A contractor, it will go out to a municipal bid.

Analyzing the hydrology, have you completely relied on the FEMA calculation? Ms. Smith discussed that there has been independent calculations because the FEMA calculation was done before the 100 year storm was re-assesed. Ms. Shimsky asked for a copy of the 100 year storm assessment. Commissioner Greechan said a copy can be made available.

*Which species will be affected by the loss of the lake? Ms. Smith discussed that any fish that are in the lake will migrate to a similar location. The projects is taking a lake and making it a river with about one foot of water.*

*Legislator Shimsky asked if they could have an offline conversation with the towns and villages, the committee will work with the Department to set up the meeting. No action was taken at this time. The committees will reconvene to continue the conversation at a later date.*

This RESOLUTION - Environmental Resolution was tabled

9. [2021-226](#) **BOND ACT-RMAC4-Woodlands Lake Dam at V.E. Macy Park**

A BOND ACT authorizing the issuance of FIVE MILLION (\$5,000,000) DOLLARS in bonds of Westchester County to finance Capital Project RMAC4 - Woodlands Lake Dam at V.E. Macy Park.

**Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PARKS & RECREATION**

*joint with PWT & PR*

*Guests: Commissioner O'Connor, Deputy Commissioner Tartaglia - PRC; Commissioner Greechan, Program Coordinator (Capital Planning) Robert Abbamont - DPW/T*

This ACT - Bond Act was tabled

## II. OTHER BUSINESS

*Mr. Nonna and Ms. Sacksteder discussed the changes made in response to concerns from the last meeting. Section 2(C) now has a defined term, the "Parking Off-Season," which is October 1 through April 30, during which free parking will be made available to the general public as previously agreed. In addition, if the amusement park is operating, parking will be free to the general public until one hour before the amusement park opens or 11 a.m., whichever is later. Section 10 now provides that the County has 30 days to consider a wholesale assignment of the agreement to a third party before giving its express written consent or non-consent.*

*Standard also requested that the County give its reasons if it does not consent.*

*Mayor Cohn requested that a provision be added to the agreement that there will be ongoing consultative relationship with Rye, the County and Standard, which will provide for meetings three times per year. He also requested that a provision be added that Standard will pay for Rye's costs for policing and emergency medical care. Lastly, he requested a provision that changes affecting the neighborhood aspect of the park will be discussed with Rye.*

*Mr. Nonna and Chairwoman Barr of the Law & Major Contracts committee addressed his concerns. Mr. Nonna noted that he had sent the agreement to Mr. Cohn on May 12th. He also noted that we were constrained by 2016 agreement, which included reimbursement to County. Mr. Nonna discussed that throughout the negotiations Rye never came forward, he suggested that the City of Rye and Standard Amusement have a conversation. Mr. Nonna noted that a MOU between Standard and the City of Rye may be necessary. He acknowledged that Standards wants make sure that the City of Rye is being treated properly.*

*Chairwoman Barr of the Law & Major Contracts committee explained that this is a ongoing litigation and the courts are paying close attention to the attitude of the County.*

*Deputy Commissioner Tartaglia of the Department of Parks & Recreation discussed that this is a complicated contract, and Parks role is changing but they will not go away. The Parks Department mission is that County parks remain County parks. They are working with Standard and they believe we can work together.*

*To watch the discussion in its entirety please refer to the link below.*

[http://westchestercountyny.granicus.com/MediaPlayer.php?view\\_id=1&clip\\_id=719](http://westchestercountyny.granicus.com/MediaPlayer.php?view_id=1&clip_id=719)

*This item was signed out of all three committees on April 7, 2021. No additional action was taken.*

1. Playland Agreement Amendments Review

*Joint with LMC & PR*

*Guests: County Attorney John Nonna, Assistant Chief Deputy County Attorney Tami Altschiller, and Elizabeth Sacksteder, Partner, Paul Weiss Rifkind Wharton & Garrison; Josh Cohn, Mayor of the City of Rye*

**III. RECEIVE & FILE**

**ADJOURNMENT**

Moved by Legislator Tubiolo, seconded by Legislator Barr, the Committee adjourned at 12:27PM.