



Budget & Appropriations

BOL Meeting Minutes - Final

Committee Chair: Vedat Gashi

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Wednesday, September 28, 2022

10:00 AM

Committee Room

CALL TO ORDER

Joint with Public Works & Transportation; Environment, Energy & Climate; Economic Development; and Law & Major Contracts committees

Chairwoman Catherine Borgia will be participating remotely from Clear View School and Day Treatment Center, 480 Boston Post Road, Briarcliff, NY 10510.

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.

Please note: This meeting was 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 were 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>.

With a quorum present, Chair Gashi called the meeting to order at 10:19 a.m.

Others in attendance: BOL: Committee Coordinators: Jill Axelrod and Anand Singh; Budget Dept.: Larry Soule (Remote); DEF (Remote): Vincent Kopicki, Nat Federici Chris Gelardo, and Marian Pompa; Planning Dept.: David Kvinge (Remote); CE's Office: Peter McCartt; Law Dept.: Mark Gardner

Present: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

Remote: Legislator Nolan

MINUTES APPROVAL

Wednesday, September 7, 2022 at 10:00 a.m.

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the minutes were approved. The motion carried by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

Monday, September 12, 2022 at 9:30 a.m.

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the minutes were approved. The motion carried by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

I. ITEMS FOR DISCUSSION

2nd Quarter Report for Fiscal Year 2022

Guest: Budget Director Larry Soule

Mr. Soule discussed the report and answered the legislators' questions.

The video can be viewed at:

https://westchestercountyny.granicus.com/MediaPlayer.php?view_id=1&clip_id=1621

1. **[RES-2022-185](#) RES-Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022**

A RESOLUTION supporting the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, ENVIRONMENT, ENERGY & CLIMATE, ECONOMIC DEVELOPMENT AND PUBLIC WORKS & TRANSPORTATION

Joint with Public Works & Transportation, Environment, Energy & Climate, and Economic Development committees

Guests: Planning Dept.:Commissioner Norma Drummond and Assistant Commissioner David Kvinge

Mr. McCartt discussed the benefits of the Environmental Bond Act, including flood mitigation, land conservation, environmental justice, clean jobs, renewables, and large infrastructure programs.

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

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

2. [RES-2022-168](#) **PH-Sewer District Mod-Removal-Mount Pleasant**

A Public Hearing on an ACT to modify the Saw Mill Valley Sanitary Sewer District by the removal of one (1) parcel of property located in the Town of Mt. Pleasant. [Public Hearing set for October 17, 2022 at 7:30 p.m.] ACT INTO: 2022-428.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

Joint with Public Works & Transportation and Environment, Energy & Climate committees

Guests: DEF: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Director of Maintenance Marian Pompa *Mr. Pompa discussed the requirements for removal from the sewer district. Legislator Barr asked that the committees have a meeting to discuss how the criteria for removal are established and enforced.*

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

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

3. [RES-2022-186](#) **ENV RES-Sewer District Mod-Removal-Mount Pleasant**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from the removal of one (1) parcel of property from the Saw Mill Valley Sanitary Sewer District.

SUBMITTED BY: BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

Joint with Public Works & Transportation and Environment, Energy & Climate committees

Guests: DEF: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Director of Maintenance Marian Pompa

Please refer to item #2.

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

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

4. [ACT-2022-138](#) **ACT-Sewer District Mod-Removal-Mount Pleasant**

AN ACT to modify the Saw Mill Valley Sanitary Sewer District by the removal of one (1) parcel of property located in the Town of Mt. Pleasant.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

Joint with Public Works & Transportation and Environment, Energy & Climate committees

Guests: DEF: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Director of Maintenance Marian Pompa

Please refer to item #2.

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

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

5. [RES-2022-169](#) **PH-Sewer District Mod-Add-Cortlandt**

A Public Hearing on an ACT to modify the Peekskill Sanitary Sewer District by the addition of two (2) parcels of property located in the Town of Cortlandt. [Public Hearing set for October 17, 2022 at 7:30 p.m.]. ACT INTRO: 2022-475.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

Joint with Public Works & Transportation and Environment, Energy & Climate committees

Guests: DEF: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Director of Maintenance Marian Pompa

Mr. Pompa discussed the item.

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

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

6. [ACT-2022-139](#) **ACT-Sewer District Mod-Add-Cortlandt**

AN ACT to modify the Peekskill Sanitary Sewer District by the addition of two (2) parcels of

property located in the Town of Cortlandt.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

Joint with Public Works & Transportation and Environment, Energy & Climate committees

Guests: DEF: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Director of Maintenance Marian Pompa

Please refer to item #5.

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

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

7. [ACT-2022-127](#) **BOND ACT-BPL35-Hilltop Hanover Farm & Environmental Center**

A BOND ACT authorizing the issuance of ONE MILLION (\$1,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL35 - Hilltop Hanover Farm and Environmental Center.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

Joint with Public Works & Transportation and Environment, Energy & Climate committees

Guests: CE's Office: Peter McCartt, Director of Energy Conservation and Sustainability

Assistant Commissioner David Kvinge discussed the item. He said this is for continuation of rehabilitation of buildings and infrastructure work. Legislator Pierce said she understands that the work needs to be done, but asked for item breakdowns and cost estimates for the \$1 million requested. Assistant Commissioner Kvinge said they don't have them, and noted that there is a long list of things to be done, and things come up over time so priorities shift. Chair Gashi said he agrees with Legislator Pierce, and this feels more like an addition to a fund rather than a discrete funding project. Mr. Kvinge said he can provide the information they used to pull the request together. Legislator Barr said that would be helpful, especially going forward, since they will clearly need more money, and there will likely be a master plan in the future. She said we can approve the item contingent to getting that information prior to the next Board meeting. Legislator Pierce also asked Mr. Kvinge to advise what amount of money was left from the money for the fencing project that came in under budget, and he said he would let her know.

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

Aye: Legislator Nolan

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

WO Prejudice: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

8. [ACT-2022-128](#) **ACT - Lawsuit Settlement of Dewaters v. County of Westchester**

AN ACT authorizing the County Attorney to settle the lawsuit of Alice P. Dewaters v. County of Westchester, et al, in the amount of ONE HUNDRED THOUSAND (\$100,000) DOLLARS, inclusive of attorney's fees.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

Joint with Law & Major Contracts

Guest: Law Dept.: Senior Assistant County Attorney Mark Gardner

Mr. Gardner discussed the case. He said that on August 22, 2017, a 63-year-old woman walking in the crosswalk on Warburton Avenue in Yonkers was struck by a bus. She was taken by ambulance to St. John's Hospital, where she stayed for five days. He said that a settlement of \$100,000 is fair since cases like this routinely settle for \$300,000 or more. The driver was disciplined and terminated, but he appealed, and was reinstated. He had to undergo training, and forfeited two and a half weeks of his salary.

Legislator Barr asked if the driver has had any additional accidents since the training. Mr. Gardner said he will look into it and let her know.

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

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

II. OTHER BUSINESS

III. RECEIVE & FILE

1. [2022-408](#) **HON. MARGARET A. CUNZIO - Sewer District Removal - 146 Hardscrabble Rd., Briarcliff Manor**

Forwarding correspondence received from the Town of Mt. Pleasant requesting removal of a parcel of property, 146 Hardscrabble Road, Briarcliff Manor, from the Westchester County Saw Mill Sanitary Sewer District.

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the above item was received, filed, and approved. The motion carried by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

2. [2022-435](#) **HON. NANCY E. BARR - Sewer District Removal - 246 Old Lake Street, Harrison**

Forwarding correspondence received from the Town/Village of Harrison requesting the removal of a parcel of property, 246 Old Lake Street Harrison, from the Mamaroneck Valley Sewer District.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the above item was received, filed, and approved. The motion carried by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

3. [2022-436](#) **HON. NANCY E. BARR - Sewer District Removal - 2481 Purchase Street, Harrison**

Forwarding correspondence received from the Town/Village of Harrison requesting the removal of a parcel of property, 2481 Purchase Street, Harrison, from the Blind Brook Sewer District.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the above item was received, filed, and approved. The motion carried by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

4. [2022-437](#) **HON. NANCY E. BARR - Sewer District Removal - 10 Kenilworth Lane, Harrison**

Forwarding correspondence received from the Town/Village of Harrison requesting the removal of a parcel of property, 10 Kenilworth Lane, Harrison, from the Blind Brook Sewer District.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the above item

was received, filed, and approved. The motion carried by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

5. [2022-438](#) **HON. NANCY E. BARR - Sewer District Removal - 9 Oak Valley Lane, Harrison**

Forwarding correspondence received from the Town/Village of Harrison requesting the removal of a parcel of property, 9 Oak Valley Lane, Harrison, from the Blind Brook Sewer District.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the above item was received, filed, and approved. The motion carried by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

6. [2022-439](#) **HON. NANCY E. BARR - Sewer District Removal - 15 Oak Valley Lane, Harrison**

Forwarding correspondence received from the Town/Village of Harrison requesting the removal of a parcel of property, 15 Oak Valley Lane, Harrison, from the Blind Brook Sewer District.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the above item was received, filed, and approved. The motion carried by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

7. [2022-440](#) **HON. NANCY E. BARR - Sewer District Removal - 12 Oak Valley Lane, Harrison**

Forwarding correspondence received from the Town/Village of Harrison requesting the removal of a parcel of property, 12 Oak Valley Lane, Harrison, from the Blind Brook Sewer District.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the above item

was received, filed, and approved. The motion carried by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

8. [2022-441](#) **HON. NANCY E. BARR - Sewer District Removal - 5 Oak Valley Lane, Harrison**

Forwarding correspondence received from the Town/Village of Harrison requesting the removal of a parcel of property, 5 Oak Valley Lane, Harrison, from the Blind Brook Sewer District.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the above item was received, filed, and approved. The motion carried by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

9. [2022-442](#) **HON. NANCY E. BARR - Sewer District Removal - 8 Oak Valley Lane, Harrison**

Forwarding correspondence received from the Town/Village of Harrison requesting the removal of a parcel of property, 8 Oak Valley Lane, Harrison, from the Blind Brook Sewer District.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

On motion of Legislator Maher, seconded by Legislator Woodson-Samuels, the above item was received, filed, and approved. The motion carried by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo

ADJOURNMENT

Moved by Legislator Maher, seconded by Legislator Pierce, the Committee adjourned at 12:05 p.m. by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Legislator Pierce, Legislator Smith, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Committee Vice-Chair Shimsky and Legislator Tubiolo