

Legislation Meeting Agenda



Committee Chair: Colin Smith

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

Monday, April 18, 2022

1:00 PM

Committee Room

CALL TO ORDER

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

[2022-206](#) **RES-2022 Westchester County Federal Joint Legislative Package**

Forwarding the 2022 Westchester County Federal Joint Legislative Package.

COMMITTEE REFERRAL: COMMITTEE ON LEGISLATION

Guests: County Executive's Office - Andrew Ferris, Chief of Staff, Steve Bass, Director of Intergovernmental Relations, Copernicus Crane, Assistant Director of Intergovernmental Relations

[2022-118](#) **LEGISLATORS SMITH, BORGIA, PIERCE, GASHI, BOYKIN, BARR, PARKER, WILLIAMS JOHNSON, MAHER, CLEMENTS, SHIMSKY, WOODSON-SAMUELS, TUBIOLO, JOHNSON AND ALVARADO - PH - Salary Range Posting Requirement**

A RESOLUTION setting a Public Hearing on "A LOCAL LAW amending Chapter 700 of the Laws of Westchester County relating to prohibiting employers from posting job listings without minimum and maximum salary information." [Public Hearing set for _____, 2022 at _____ .m.] LOCAL LAW INTRO: 2022-119.

COMMITTEE REFERRAL: COMMITTEE ON LEGISLATION

Guests: Department of Law - Stacey Dolgin-Kmetz, Chief Deputy County Attorney, Jason Whitehead, Senior Assistant County Attorney; Human Rights Commission, Tejash Sanchala, Executive Director

[2022-119](#) **LEGISLATORS SMITH, BORGIA, PIERCE, GASHI, BOYKIN, BARR, PARKER, WILLIAMS JOHNSON, MAHER, CLEMENTS, SHIMSKY, WOODSON-SAMUELS, TUBIOLO, JOHNSON AND ALVARADO - LL - Salary Range Posting Requirement**

A LOCAL LAW amending Chapter 700 of the Laws of Westchester County relating to prohibiting employers from posting job listings without minimum and maximum salary information.

COMMITTEE REFERRAL: COMMITTEE ON LEGISLATION

Guests: Department of Law - Stacey Dolgin-Kmetz, Chief Deputy County Attorney, Jason

Whitehead, Senior Assistant County Attorney; Human Rights Commission, Tejash Sanchala, Executive Director

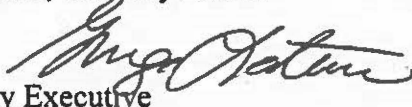
II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

April 11, 2022

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **RES – 2022 Westchester
County Federal Joint Legislative Package.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators April 11, 2022 Agenda.

Transmitted herewith is a RESOLUTION submitting the attached 2022 Westchester County Federal Joint Legislative Package.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for April 11, 2022 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

Resolution No. -2022

**TO THE WESTCHESTER COUNTY BOARD OF LEGISLATORS
COUNTY OF WESTCHSETER, NEW YORK**

WHEREAS, these Committees have reviewed the following items for the
2022 Westchester County Federal Joint Legislative Package; **Now Therefore Be It**

RESOLVED, after that considerable deliberation, it is recommended that this Honorable
Board approve these legislative initiatives and that they be presented to and considered
by the Westchester County Federal Delegation during the current federal legislative
session.

Dated: April 11, 2022
White Plains, New York

WESTCHESTER COUNTY FEDERAL PACKAGE

Identifying the Legislative, Appropriative and Federal Agency-related Priorities of
Westchester County

APRIL 4, 2022
WESTCHESTER COUNTY

Priorities for Federal Legislation and FY23 Appropriations Westchester County

Westchester County has a rich mix of cultures and landscapes, blending bustling cities, quaint villages and picturesque towns as well as open spaces and a network of beautiful parks. The County covers 500 square miles, with 6 cities, 19 towns and 20 villages and a population now over a million people. Westchester County is known for top-notch public schools and a high quality of life, boasting a highly educated workforce, competitive colleges and universities, Fortune 500 companies, world changing non-profits, cutting-edge research centers, many arts and cultural opportunities, and the beautiful Hudson river valley.

The 2020 Census identified that Westchester County's **population surpassed 1 million people** for the first time. Westchester is more diverse than ever before, with notable increases in its Hispanic, Black and Asian populations visible in the results of the Census. Westchester remains economically diverse, including low income populations in need of support and infrastructure as well as more affluent communities defined by nationally recognized school districts.

We applaud our federal delegation for securing relief for Westchester following Hurricane Ida and the coronavirus, for securing funding for infrastructure, and for securing flexible assistance through the American Rescue Plan Act. Your work has buoyed Westchester's residents in their time of need; this crucial funding will reinforce Westchester and our 45 municipalities as we learn to live with COVID-19.

We recognize the many challenges faced by our nation at this time – financial challenges in inflation and high gas prices; geopolitical challenges like Russia's war in Ukraine and the international rise of authoritarian states; environmental challenges like the energy transition and the little time we have left to avert global warming above 1.5 degrees Celsius; domestic crises like America's imminent demographic collapse and declining population. We recognize too that our solutions must not leave members of our communities behind, and that equity for women and marginalized minority populations must be provided for in our solutions – and that persistent issues of race in our nation must be confronted.

We believe that by working together, we can find solutions that protect Westchester's residents while delivering essential services and responding to the complex, multi-faceted problems of our time.

Enclosed, you will find information regarding federal FY23 appropriations and legislative items that will benefit everyone in Westchester County. These items are approved by a bipartisan coalition of Westchester's County Legislators, underscoring our conviction as to their necessity for our residents.

Please do not hesitate to contact any of us here in Westchester County government if we can be of any support as you conduct your negotiations. We thank you for your consideration, and the tireless efforts you put into representing our County.

Sincerely,

George Latimer,
Westchester County Executive

Catherine Borgia,
Chair, Westchester County Board of Legislators

Priorities for Federal Legislation and FY23 Appropriations Westchester County

Table of Contents

Repeal the Limits Imposed on State and Local Tax Deductions (SALT)	3
Continue Funding to Medicaid and the Affordable Care Act	5
Support Funding for Section 8 and Housing	6
Support the Maintenance of Existing Funds to Social Services	7
Support Critical Westchester County Infrastructure Projects	9
Support Communities Impacted by the Closure of Indian Point	13
Support Net Neutrality and Affordable Broadband Access	14
Facilitate a Strong Response to Climate Change	15
Support Opioid Abuse Prevention, Treatment and Enforcement	16
Continue Flood Hazard Mapping and Risk Analysis Program	17
Restore the Expansion of Child Tax Credits	18
Community Mental Health Priorities	19

Priorities for Federal Legislation and FY23 Appropriations Westchester County

Westchester County's Top Priority:

Repeal the Limits Imposed on State and Local Tax Deductions (SALT)

Westchester County strongly supports the repeal of the \$10,000 limit imposed on the amount of state and local taxes that can be deducted from federal income taxes.

Prior to the enactment of the Federal Tax Reform Act of 2017, New York taxpayers who itemized their federal tax deductions could deduct the full amount of their state and local property and income taxes. Previously, this SALT deduction had been a major source of tax fairness for highly taxed donor states like New York, and particularly in Westchester County, which has high property taxes.

Prior to 2017, 70% of Westchester's middle income families (defined as families making less than \$200,000 per year) itemized their federal tax deductions for an average of \$36,263 in savings. The present cap of \$10,000 results in double taxation, dis-incentivizing home ownership and exacerbating the economic troubles of thousands of middle class families struggling to manage their finances in the face of high gas prices and an economy still recovering from the second wave of the ongoing COVID-19 Pandemic.

Westchester County greatly appreciates the strong leadership and tireless advocacy of our federal delegation. In particular, the SALT Deductibility Act, introduced by our full federal delegation, responds particularly effectively to this crisis. We support the SALT Deductibility Act, and support further efforts to pass this crucial legislation.

Relevant Legislation:

117th Congress:

- S.85: Securing Access to Lower Taxes by ensuring Deductibility Act
 - Sponsored by Senator Charles Schumer
 - Cosponsors include: Senator Gillibrand
 - This bill repeals the temporary restrictions in taxable years 2018 through 2025 on the deductibility of state and local taxes.
- H.R.613: Securing Access to Lower Taxes by ensuring Deductibility Act
 - Cosponsors include: Congressman Bowman; Jones; S.P Maloney
 - This bill repeals the temporary restrictions in taxable years 2018 through 2025 on the deductibility of state and local taxes.

**Priorities for Federal Legislation and FY23 Appropriations
Westchester County**

**Westchester County's
Federal Appropriations Priorities**

Priorities for Federal Legislation and FY23 Appropriations Westchester County

Continue Funding to Medicaid and the Affordable Care Act

Westchester County supports the continuation of Enhanced Federal Medicaid Assistance Percentages (eFMAP) under the Affordable Care Act (ACA). Westchester has seen tremendous benefit as a result of eFMAP earned by New York State's expansions of Medicaid programs in conjunction with the ACA. The State currently caps our weekly Medicaid contribution, but we pay millions less than the cap due to additional eFMAP provided under the ACA. Currently, Westchester sees savings of \$20-30 million per year because of the ACA.

New York State's ability to cap county Medicaid expenses is dependent on the ACA, because the State has generated eFMAP associated savings related to its expansion of Medicaid. Were the costs of Medicaid shifted back to the states, our savings would be in jeopardy.

Westchester identifies the following to inform your discussions as to the needs of our residents:

- In light of the tremendous savings provided to counties by these programs, Westchester County opposes block granting and/or the privatization of programs like Medicaid, Medicare and Social Security. Block granting and privatization would deprive thousands of residents of their benefits, dramatically increase their financial stresses, and burden other social service programs.
- We support the continued reauthorization of the Federally Qualified Health Center (FQHC) program. Active FQHCs throughout Westchester provide essential and affordable services to our County's high-need populations. These centers were of critical need during the coronavirus pandemic, serving as a mechanism to directly support testing and vaccination efforts in especially vulnerable communities. We support ongoing funding for these centers, including funding for prevention and treatment of substance abuse and teen pregnancy prevention programs.
- Westchester County also supports funding for mental health services, as well as mandates for adequate coverage for mental health and substance abuse prevention and treatment. Following the COVID-19 pandemic, we have seen a dramatic increase in demand for mental health support, particularly among populations aged 0-17, as well as an increase in mental health incidents.
- Westchester County supports the expansion of telehealth and telemedicine services. These programs can reduce the short and long term costs of care and increase access to care, particularly among the mobility impaired.
 - Westchester's Telehealth Intervention Programs for Seniors (TIPS), debuted in June 2014, is at the forefront of telehealth. TIPS provides a unique collaborative approach between telehealth, social programs, and hands on volunteer programs, reaching more people in need of care and helping them stay in their homes longer.
 - If your office would like to connect to gather information on telehealth programs or our TIPS initiative, please do not hesitate to contact Westchester County.

Relevant Legislation:

117th Congress:

- H.R.366: Protecting Access to Post-COVID-19 Telehealth Act of 2021
- H.R.341: Ensuring Telehealth Expansion Act of 2021
- H.R.434: Preventing Mental Health and Substance Use Crises During Emergencies Act

Priorities for Federal Legislation and FY23 Appropriations Westchester County

Support Funding for Section 8 and Housing

Westchester County supports President Biden's FY2023 Budget Proposal for the Department of Housing and Urban Development (HUD). Full funding for HUD's Housing Choice Voucher (HCV) Section 8 program has declined over the past few years, catalyzing the already significant need in Westchester and New York State for affordable housing.

The housing choice voucher program is the federal government's major program to assist very low-income families, the elderly, and the disabled in affording decent, safe, and sanitary housing in the private market. Because this assistance is provided on behalf of the family or individual, participants are able to find their own housing, including single-family homes, townhouses and apartments.

The participant is free to choose any housing that meets the requirements of the program and is not limited to units located in subsidized housing projects, ensuring that these residents have flexibility and are not redlined into particular developments or communities.

President Biden's current proposal would include an increase of \$4.7 billion to the Tenant-Based Rental Assistance Account, which funds the Section 8 Housing Choice Voucher Program. HUD has indicated that this increase would be sufficient to cover rent increases and add 200,000 new vouchers to the stock.

President Biden's proposal also includes funding for a new program to develop affordable housing nationwide, as well as an additional \$15 billion in Low-Income Housing Tax Credits.

Even before the COVID-19 pandemic, over 10,000 households in Westchester County faced eviction annually. By September of 2021, Westchester had the most eviction filings in New York outside of New York City. There are currently over 4,000 renter households in Westchester that have submitted their applications to the Emergency Rental Assistance Program (ERAP) for eviction prevention assistance. Unfortunately, due to lack of funds, many, if not all of these applications are waiting to be reviewed.

Additional funding for ERAP will help renter households receive eviction prevention and utility assistance funds to stabilize their housing and prevent evictions. Additional funding to HUD's HCV Section 8 program will ensure that thousands of Westchester residents can secure safe, affordable housing.

Priorities for Federal Legislation and FY23 Appropriations Westchester County

Support the Maintenance of Existing Funds to Social Services

Federal allocations to the following sources ensure that Westchester County is able to provide a crucial social services to thousands of Westchester County's neediest residents. Westchester County anticipates demand for all of these programs to grow. Many residents have put off submitting documents in order to receive services or have put off seeking medical care or other necessary supports due to the ongoing pandemic. As you navigate the budgetary process this cycle, we ask that the following programs be fully funded and supported to ensure that our County is able to continue supporting its residents.

- **Social Service Block Grants (Title XX)**
 - Derived from Title XX of the Social Security Act of 1981, funding from the SSBG supports a wide variety of services in Westchester County, including child care, child and adult protective services, foster care, and special services for the disabled. SSBG funding can be used for up to 29 service categories that have broad application, making the funding flexible and underscoring how well it can be utilized to positive impact locally. Westchester strongly supports the continuation of SSBG funding.
- **Temporary Assistance to Needy Families (TANF)**
 - TANF funding helps low-income families with children achieve economic self-sufficiency. Westchester's TANF-supported families are alternatively served by the County operated Safety Net program, which is 71% county funded. Cuts in TANF, which is 99% federally funded, would place additional burden on the majority-county funded Safety Net program, and would results in steep decreases in child welfare, domestic violence victim support, drug and alcohol treatment, employment support, foster care services provided to Westchester's neediest populations.
- **Community Development Block Grants (CDBG) and HOME programs**
 - Westchester re-established its Urban County Consortium in 2018 in order to receive CDBG/HOME/ESG grant funds from HUD for municipalities that do not receive direct allocations. Within three years, 31 communities are participating in the program. These communities, and 4 of Westchester's cities, currently rely on CDBG funds to support a slate of infrastructure and public service programs that are enhancing our local economy. Westchester asks that CDBG, HOME and ESG funding continue to be fully funded by Congress.
- **Supplemental Nutrition Assistance Program (SNAP)**
 - SNAP funding provides cash assistance and benefits to families with high need. Recipients are required to engage in work activity in order to receive benefits. Participants in this program are expected to grow by 3% nationwide in 2023, but the amount of money the federal government is expending towards this program is projected to decline as enhanced pandemic relief benefits end this year. Westchester asks that SNAP continue to be fully funded by Congress.
- **Senior Community Service Employment Program (SCSEP)**
 - Authorized by the Older Americans Act, SCSEP provides income support and part-time work experience in community service activities to ensure that the program's clients, unemployed low-income persons aged 55 and older, transition to unsubsidized employment and avoid public assistance. Westchester's budgeted funding for this program directly funds our countywide Department of Senior Services. Westchester asks that SCSEP continue to be fully funded by Congress.

**Priorities for Federal Legislation and FY23 Appropriations
Westchester County**

**Westchester County's
Federal Legislative and Agency Priorities**

Priorities for Federal Legislation and FY23 Appropriations Westchester County

Support Critical Westchester County Infrastructure Projects

Penn Station Access

- Penn Station Access is a project planned by the Metropolitan Transportation Authority (MTA) that would connect Metro North to both the west and east side of Manhattan. In doing so, it would create 6 new Metro North stops – West 125th street and West 62nd street on the Hudson line and Manhattan’s west side, and Co-op City, Morris Park, Parkchester, and Hunts Point on the New Haven line and the east Bronx.
- Westchester County advocates strongly in support of this project; these stations will do more to connect Westchester to New York City, enhancing the local economy along the Hudson and New Haven Metro North lines and providing benefits of mobility to many of Westchester’s residents. Residents who commute to work in New York City will see benefits in a wider variety of destinations, enhancing their opportunity and giving them shorter commutes – and more time with their families – while residents of New York City interested in exploring Westchester’s nationally recognized park system or cozy local businesses will have an opportunity to explore our county and support main street economies.
- The recent Memorandum of Understanding developed between the MTA and Amtrak, as well as funding secured by Senator Chuck Schumer, will do much to ensure that this project comes to fruition. Westchester thanks our delegation for their tireless efforts on this topic and encourages further prioritization of this project through incorporation in any transit oriented development plans and the provision of agency support.

Bridge Strikes

- Northeastern states have a large number of older, lower bridges. Westchester, in particular, has a number of low bridges which overlook highly trafficked roads and are often struck by large trucks. These include the King Street Bridge in Rye and the Hutchinson River Parkway, the Saw Mill River Parkway, and the Bronx River Parkway.
- While New York State law prohibits commercial vehicles of all sizes from using State parkways, many drivers use personal GPS applications which do not mention these laws. Without this guidance, commercial vehicles strike these low bridges, causing damage to infrastructure and putting motorists in serious danger.
 - Westchester saw 329 bridge strikes on County and State parkways between 2017 and 2020.
 - Bridge strikes increased by 30% from 2020-2021 and have exceeded pre-pandemic years.
- Westchester seeks your assistance in asking the U.S. Department of Transportation to consider the following actions:
 - Work with mapping companies (Google, Waze) to recognize their products are being used by commercial vehicles, either by commercial drivers or drivers using rented trucks, and require the companies to update their software to add warnings for trucks and other commercial vehicles
 - Require the truck height to be posted inside the truck cabin in visible view of the driver
 - Require the low bridge/parkways system to be included in Commercial Driver’s License training

Priorities for Federal Legislation and FY23 Appropriations Westchester County

- Require truck rental companies to share information on commercial vehicles route limitations with drivers
- Require trucking companies to install commercial GPS in the cabs of all 53' trucks and rental companies to do the same with rental vehicles

Lake Isle Dam

- Lake Innisfree is a man-made lake in the City of New Rochelle, on the border of Eastchester. The reservoir is impounded by a dam constructed in 1885 (known as the Lake Isle Dam), and is surrounded by several residential communities in Eastchester and New Rochelle. The dam is upstream from Mount Vernon, and immediately north of the Hutchinson River Parkway. The owner of the dam became insolvent over 30 years ago, and the dam no longer has an owner.
- In 2020, the dam was rated unsound by New York State's Department of Environmental Conservation (DEC). The DEC reported that the dam could break if enough pressure builds up on its drainage system. Estimates of costs to repair the dam began at \$8 to \$10 million per an older report from Mott MacDonald, but costs have likely increased significantly in the time since then. Were the dam to rupture, low income communities in the City of Mount Vernon could be at significant risk of flooding or damage from the flooding caused by the dam. The Hutchinson River Parkway, a critical transportation artery in Westchester, would be similarly imperiled by a rupture.
- Westchester asks for assistance in creating a system to pay for the repair, and the later maintenance, of the dam. Such a system would include a plan to renovate the dam and would provide an allocation of federal funding towards the project's completion.

Yonkers Wastewater Treatment Plant

- Westchester County operates a wastewater treatment plant on the west side of Yonkers, the third largest city in New York State. This plant caters to roughly 500,000 residents and filters over a million gallons of waste every day. Local residents and neighboring municipalities report noxious odors emanating from the plant
- Westchester County sponsored an odor control study by CDM Smith which was completed in 2019; this study determined that the smell was due to aging scrubbers and poor insulation at the facility, and identified other infrastructure issues which required improvement. This plant is located in a predominantly Black and Hispanic section of Yonkers; residents living on the city's west side are primarily middle class. Westchester County believes that the disproportionate exposure of these communities to pollution and crumbling infrastructure is unjust, and has been working to secure environmental justice for this population.
- In order to support these residents, Westchester County requests \$69.1 million in budgeted federal grants in order to provide long term infrastructural repairs to the Yonkers Wastewater Treatment Plant.

Environmental Protection and Clean Water

- The Long Island Sound is a national treasure and an economic engine for Westchester which draws families, boaters, tourists and anglers to the sound shore communities. We were glad to see the Long Island Sound Future Fund receive \$3.8 million in federal/state

Priorities for Federal Legislation and FY23 Appropriations Westchester County

grants in 2020. Westchester asks that our federal representatives reinstate all EPA and environmental funds stripped away from 2017 to 2021.

- Westchester County thanks Senator Chuck Schumer, Senator Kirsten Gillibrand and Congressman Jamaal Bowman for their work securing \$88 million in funding for the construction of the Mamaroneck Flood Mitigation Project. The Mamaroneck and Sheldrake River Flood Management Project was stalled for years until Senator Schumer broke the logjam. This project will protect residents from hundreds of millions of dollars in damages and will turn the tables on a region harrowed by deadly storms.
- Clean, safe water is essential. Many communities in Westchester have aging or insufficient waste water and drinking water systems. These systems are costly to build, maintain and upgrade, putting remedial action far beyond the budget of most municipalities, and making federal and state funding crucial. Despite strong bipartisan backing, the Drinking Water Infrastructure Act (S.914) has passed the Senate, but not yet the House in the 117th Congress. If passed, this legislation will reauthorize the Clean Water State Revolving Fund (CWSRF) and the Water Infrastructure Finance and Innovation Act, which provide crucial support for water and sewer projects. Significantly, the CWSRF is the funding mechanism for \$50 billion authorized by the 2021 Bipartisan Infrastructure Law for infrastructure improvements to drinking water and wastewater systems. Westchester County urges the introduction and passage of S.914 in the House.

Relevant Legislation:

117th Congress:

- S.914: Drinking Water and Wastewater Infrastructure Act of 2021

Annsville Circle

- Annsville Circle is located in the Town of Cortlandt, in the northwestern part of Westchester County. It is a large traffic circle that leads to the City of Peekskill, Camp Smith, a military base, and the popular hiking destinations of Anthony's Nose and Westchester County's Blue Mountain Reservation. The Circle also feeds into the Bear Mountain Bridge, which leads to the popular Bear Mountain State Park. Much of northern Westchester utilizes septic systems for local sewage, and Annsville Circle and its surrounding area are no different.
- The Town of Cortlandt is interested in developing Annsville Circle for recreation, hotels, and mixed use and affordable housing. As a rare piece of undeveloped land, Annsville Circle would be perfect for this purpose – but without being connected to Westchester's sewer district, these developments would need to remain on septic systems, seriously limiting their capacity.
- In order to support economic development in the Town of Cortlandt, particularly following the closure of the Indian Point Nuclear Power Plant, Westchester County requests that our federal delegation work to secure funding to support this sewer expansion. The cost of this sewer expansion is estimated around \$12 million dollars per the most recent estimates of the County.

Priorities for Federal Legislation and FY23 Appropriations Westchester County

Memorial Field

- Memorial Field is a historic municipal stadium utilized by the Mount Vernon High School for athletic events; over the last 70 years, the field has hosted semi-pro football, baseball, soccer, community events, and even a Jackson Five concert. Architecturally, it boasts twelve Romanesque arches, a brick and limestone grandstand building, and a 3,900 bleacher style grandstand overlooking twelve acres of field and track. The stadium has fallen into disrepair, and negotiations to repair the field have occurred since 1992.
- Westchester County entered into a partnership with the City of Mount Vernon to repair the field; the County broke ground in October, 2021. Costs have already begun to escalate, with the discovery of chunks of concrete wrapped in circus tent buried in the field, as well as the discovery of contaminated soil. Persistent supply chain issues and complications posed by the COVID-19 pandemic have exacerbated costs further.
- Memorial Field is located in Mount Vernon, the eighth most populous city in New York State; the City experienced a 9.8% increase in its population from 2010 to 2020. The population of Mount Vernon is 61% Black and 14% Hispanic; the average and median income of residents in the City is below the national average, and the unemployment rate is 9.4%, more than double the national rate. Restoring memorial field will provide crucial economic justice to the historically disenfranchised population of the City.
- Westchester County asks that our federal representatives work to secure \$15 million in funding to support the reconstruction of Memorial Field.

Priorities for Federal Legislation and FY23 Appropriations Westchester County

Support Communities Impacted by the Closure of Indian Point

Following the closure of the Indian Point Nuclear Power Plant in 2021, the Hendrick Hudson School District and Library, Village of Buchanan, Town of Cortlandt, Verplanck Volunteer Fire District and Westchester County experienced significant annual property tax losses. Westchester County has worked in partnership with local communities and New York state to identify and respond to job loss and the overall impact on the local economy. Efforts have been made to identify potential shared services, replacement revenue sources, opportunities for possible reuse of the property, and other economic development and workforce development opportunities.

Currently, Holtec International has been licensed to decommission the plant and has taken full control of the site; no energy is being generated on the site, and all spent fuel is secured in dry cask or pool storage.

Westchester County appreciates the work of our federal delegation in supporting initiatives designed to assist with these efforts, including securing prioritization for Economic Development Administration (EDA) grant opportunities. We ask our federal delegation to develop a safe solution for high level radioactive waste transportation and disposal. Without a solution from the federal government, nuclear power plants like Indian Point become de facto long term radioactive waste storage sites. This creates environmental and public health risks, challenges regarding emergency preparedness, and limits possible opportunities to repurpose Indian Point in the future.

Westchester County asks our federal delegation to work with the federal government to ensure that a decision is made on how best to safely transport and dispose of the plant's waste. We ask that transparency and community involvement be facilitated as cooperation with Holtec continues, and that emergency preparedness initiatives are supported.

The following legislation was introduced in current and previous sessions of Congress; we support their reintroduction and passage in furtherance of efforts at Indian Point.

Relevant Legislation:

117th Congress:

- S.1290: STRANDED Act of 2021

116th Congress:

- S. 2854: Dry Cask Storage Act of 2019

115th Congress:

- S.2396: Safe and Secure Decommissioning Act of 2018
- H.R.4440: Redistribution of Fines to Our Communities ActH.R.4441
- H.R.4441: Safe and Secure Decommissioning Act of 2017
- H.R.4442: Removing Nuclear Waste from our Communities Act of 2017
- H.R.4891: Dry Cask Storage Act of 2018

Priorities for Federal Legislation and FY23 Appropriations Westchester County

Support Net Neutrality and Affordable Broadband Access

Society is now more interconnected than ever before, and in order to facilitate a vibrant economy and to support our communities, high speed, open and affordable internet access is absolutely crucial.

Net Neutrality is the idea that Internet Service Providers (ISPs) should not be allowed to block content, throttle speeds, or require payment for preferred access. Without net neutrality, internet access becomes a question of economic access, effectively slowing down lower income communities – and arbitrarily depriving them of crucial educational, economic and personal opportunities to profit a very limited group.

With the context of the COVID-19 Pandemic, this issue is more crucial than ever before; limited internet access can deprive affected communities of access to crucial resources for their health and personal safety.

Westchester additionally believes that action must be taken in order to ensure that all communities have high speed internet access in order to support the economic and academic needs of our businesses and students.

Westchester County urges our delegation to support net neutrality by taking Congressional action to overturn the FCC's 2017-2019 decision, and to take Congressional action to expand and enhance affordable broadband and high speed internet access.

Relevant Legislation:

117th Congress:

- S.745 - Accessible, Affordable Internet for All Act
- S.741 - Broadband Infrastructure Finance and Innovation Act of 2021
- S.1023 - Computer and Internet Access Equity Act
- H.R.1783 - Accessible, Affordable Internet for All Act
- H.R.1700 - Broadband Infrastructure Finance and Innovation Act of 2021
- H.R.2201 - Computer and Internet Access Equity Act

116th Congress:

- S.682: Save the Internet Act of 2019
- H.R.1644: Save the Internet Act of 2019 (Passed the House)

Priorities for Federal Legislation and FY23 Appropriations Westchester County

Facilitate a Strong Response to Climate Change

The world's climate is changing, and human activity correlates directly to these changes. Hundred-year storms have ravaged Westchester County nearly every year, insect populations have declined, and each year seems to be the warmest on record. Rising water levels will have significant impacts on Westchester's riverfront and sound shore communities, the county's commuter rail system, and even, as the last few years have proven, communities far inland.

Westchester County supports funding to review the feasibility of underground electric distribution wiring as a storm hardening measure, following years of severe power outages brought on by intense winds.

Westchester County also supports efforts to rapidly transition to renewable energy measures, including extension of federal tax credits for electric vehicles and the expansion of offshore wind and solar, and tax credits appropriate to those industries to ensure that they remain competitive.

Following the recent work identifying vulnerabilities in the nation's supply chains, Westchester County also urges our federal representatives to ensure that our nation's transition to renewable energy is not propped up by authoritarian electro-state partners of convenience, as the transition from coal to hydrocarbons of the mid-20th century was.

We urge our federal delegation to continue to advocate for actions to mitigate the human impact on climate, and to aggressively fight to keep warming below 1.5 degrees Celsius.

Priorities for Federal Legislation and FY23 Appropriations Westchester County

Support Opioid Abuse Prevention, Treatment and Enforcement

The Center for Disease Control and Prevention (CDC) identified that over 100,000 Americans died from drug overdose deaths between April of 2020 and 2021, an increase of 28.5% when compared to the year before. Seventy-five percent of those 100,000 overdose deaths were opioid-related, primarily involving fentanyl.

Westchester County experienced an increase in overdoses at the local level; 339 shots of Naloxone were administered to persons experiencing an overdose and 192 emergency department visits occurred involving heroin overdoses. 128 overdose deaths were recorded in 2020, an increase of 28 compared to the previous year. From January to June of 2021, 54 additional overdoses occurred.

Social isolation caused by the ongoing pandemic has caused increased rates of anxiety, depression and other mental health issues. These factors have resulted in higher opioid usage. A sufficient response must coordinate between health and mental health care services and law enforcement.

We support efforts to limit opioid prescriptions, expand addiction treatment programs, and directing continual funding towards coordinating law enforcement through efforts such as the High Intensity Drug Trafficking Area (HIDTA) program and International Narcotics Trafficking Emergency Response by Detecting Incoming Contraband with Technology (INTERDICT) Act funding. Westchester County asks that our federal representatives work to respond to the ongoing opioid crisis.

Related Legislation:

117th Congress:

- S.166: Emergency Support for Substance Use Disorders Act
- S.485: Family Support Services for Addiction Act of 2021
- S.2353: LABEL Opioids Act of 2021
- H.R.706: Emergency Support for Substance Use Disorders Act
- H.R.433: Family Support Services for Addiction Act of 2021 (Passed House)
- H.R.1026: LABEL Opioids Act

Priorities for Federal Legislation and FY23 Appropriations Westchester County

Continue Flood Hazard Mapping and Risk Analysis Program

Westchester County has seen increasingly intense, severe, and frequent damaging weather incidents as a result of climate change. The Federal Emergency Management Agency (FEMA) has mapped over a million stream miles in order to communicate flood risks to communities and residents, inform local floodplain management regulations, help communities set minimum floodplain and building standards, determine who is required to purchase flood insurance, and to ensure that the agency itself is able to accurately price flood insurance for regional risks.

Although this program does not provide direct funding to the County, flood mapping does add significant value to our hazard/disaster mitigation programs at our Department of Planning and our Department of Emergency Services; these programs, in turn, benefit many of Westchester's communities. The most recent update of Westchester's Flood Insurance Rate Maps (FIRMs) was in 2007, requiring our staff to work on information which is in some cases inaccurate or which has not accounted for changes in the rising sea level.

Updated maps for Westchester's coastal panels are due to be finished by 2024, but the completion of these maps is conditional on continued federal support. Westchester's emergency management mitigation efforts will benefit immensely from updated flood maps. As such, Westchester County asks that our federal representatives ensure the expeditious completion of these maps.

Priorities for Federal Legislation and FY23 Appropriations Westchester County

Restore the Expansion of Child Tax Credits

As part of the 2021 American Rescue Plan Act (ARPA) monthly payments were made from July to December 2021 to the families of 60 million children in the U.S. Families received direct payments of \$300 each month for young children, and \$250 each month for those over the age of 6.

These payments decreased child poverty in the U.S. by nearly 40% - and when they were not renewed in December of 2021, child poverty drew back up, sharply.

The U.S. historically has a high child poverty rate of roughly 16-20% - or roughly one in five children. This is in no small part because the U.S. dedicates roughly 0.6% of its GDP towards alleviating the issue, while other nations part of the more affluent Organization for Economic Co-operation and Development (OECD) spend an average of 2.1%. This high child poverty rate cascades outwards, resulting in large populations of adults in need of social services, their developmental restrained by their experiences growing up.

Child Tax Credit payments were spent primarily on necessities by recipients. Parents spent the money on clothing, food, housing, utilities, and childcare. In the first month of the program alone, child poverty dropped from 15.8% to 11.9%. Further, a recent study by the National Bureau of Economic Research estimates that in the long term, this program the capacity to save and/or generate ten times its cost by reducing the burden of social services and the preponderance of crime while increasing the economic participation of those 60 million American children.

Discussions regarding this program have highlighted whether or not a work requirement should be mandatory for those receiving these payments. As providing proof of a work requirement would then be necessary, and because many families who received these payments do not necessarily have access to the resources necessary to file their taxes in such a way as to provide that proof and claim that credit, Westchester County supports a continued extension of this program as it was originally produced in the 2021 American Rescue Plan Act.

Westchester County supports the extension of this program in order to combat child poverty and uplift low income youth, especially as our county and regional economy recovers from the coronavirus pandemic.

Related Legislation:

116th Congress:

- S.690: American Family Act of 2019
- H.R.1560: American Family Act of 2019

Priorities for Federal Legislation and FY23 Appropriations Westchester County

Community Mental Health Priorities

Westchester County's Department of Community Mental Health emphasizes support of the following topics as informed by their experience through the COVID Pandemic. We hope that our experience can shape your advocacy as you craft a broad based response to the diverse mental health needs of our County, State and Nation.

Access to Mental Healthcare and Supports

Access to mental health, substance use and co-occurring care should be easy and affordable. It is critical that both the federal and state government enforce the Mental Health Parity Compliance Act, especially for private/commercial insurance providers who often fail to adhere to parity requirements by significant margins. This bill revises the mental health parity rules to require private health insurance plans that offer both medical and mental health coverage.

In December of 2020 Congress passed into law the Consolidated Appropriations Act. This Bill addresses how the DOL, HHS and IRS will assess how well employer plan sponsors and Health Insurance Carriers are keeping up with the compliance requirements under the Mental Health Parity and Addiction Equity Act (MHPAEA).

Increase access to mental health and substance use care. This includes expanding current and proposed care delivery structures and innovative payment models, including Certified Community Behavioral Health Clinics (CCBHCS).

Prevention and Early Intervention for Children, Youth and Young Adults

As with all Public Health Issues, mental health conditions should be prevented and treated long before they reach the critical points in the "disease" process. There needs to be great focus and allocation of resources, towards implementing k-12 school-based education and in-school mental health services to prevent and intervene early in mental health conditions. This intervention will reduce costs and support the wellbeing of America's population through critical, formative years of their life. Intervention must include support of upstream efforts to address adverse childhood experiences and trauma and their impact on mental health.

Suicide Prevention and Access to Crisis Care

It is critical to enhance supportive alternatives to emergency rooms and criminal justice involvement in crisis response. With the passage of the new 9-8-8 number for suicide prevention and mental health crises, there is an opportunity to create a continuum of crisis care that ensures mental health responses to mental health crises and prioritizes equity.

Education and Awareness to Support those Individuals struggling with mental health, substance use or co-occurring disorders

There is a significant need to provide awareness and skills to support children, adolescent and adults experiencing mental health, substance use, co-occurring disorders, and/or suicidality. This includes providing resources to expand Mental Health First Aid (MHFA) training. MHFA training should be highly recommended training for schools, workplace, law enforcement, first responders, and other settings to help address those in need and link to appropriate services and supports.

TO: BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee recommends the adoption of “A LOCAL LAW amending Chapter 700 of the Laws of Westchester County relating to prohibiting employers from posting job listings without minimum and maximum salary information.”

Your Committee is advised that the Westchester County Human Rights Law (“Human Rights Law”) is intended to address and prevent discrimination, bigotry, prejudice, and intolerance in Westchester County because of a person’s actual or perceived membership in a protected class. Under the Human Rights Law, it is unlawful to discriminate in relation to employment, public accommodations, housing accommodation, commercial space and land transactions, and the issuance of credit.

Your Committee notes that, historically, a gender and racial wage gap has existed. Women earn on average less than their male counterparts do and people of color generally earn less than their White counterparts do. This disparity in pay can have a significant impact on the earnings of woman and people of color over the course of their careers. The Human Rights Law already bans employers from requesting, with few exceptions, the salary history of applicants to prevent employers from excluding people from the pool of applicants and using salary history to perpetuate gender and racial pay disparity.

Your Committee is advised that the proposed amendment to the Human Rights Law will make it unlawful for employers to advertise a job, promotion, or transfer opportunity without also including the minimum or maximum salary for the job, promotion, or transfer, in the job posting or advertisement. In any advertisement for a job, promotion, or transfer opportunity, the employer must provide a range from the lowest to the highest salary the

employer in good faith believes at the time of the posting it would pay for the advertised job, promotion or transfer opportunity. This new requirement will help to bring about transparency around salary ranges and level the playing field for negotiating pay and ensuring that job applicants, particularly women and people of color, are paid a fair salary based upon what the job is worth. Moreover, it will help to close the gender and racial pay disparity by leveling the information playing field and helping to ensure that employees can receive equal pay for equal work, regardless of their group identity. Prospective applicants can better decide whether they want to devote their time to applying for a particular job or forego that particular opportunity if they know the salary range. On the other hand, prospective employers will not waste their time on applicants who are not interested in a particular job based upon the salary range. Colorado and New York City have recently enacted salary range disclosure laws.

Your Committee is advised that the proposed amendment will make it an unlawful discriminatory practice to fail to include the minimum and maximum salary for a job posting. Posting is defined as any written or printed communication whether electronic or hard copy, that the employer is recruiting and accepting applications for a specific position but does not include a “Help Wanted” sign or similar communication, affixed to the premises of the employer or place of employment, indicating only generally, without reference to any particular positions, that an employer is accepting applications or hiring. The amendment would apply to any employer posting for positions that can or will be performed, in whole or in part, in Westchester County, whether from an office, in the field, or remotely from the employee’s home. Violations of this amendment would be subject to

any of the appropriate penalties listed in Section 700.11(h) of the Laws of Westchester County.

Your Committee is informed that the proposed legislation does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators. Your Committee concurs in this conclusion. Your Committee recommends adoption of this Local Law.

Dated: _____, 2022
White Plains, New York

COMMITTEE ON

AS-4/15/2022

RESOLUTION NO. ____ – 2022

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. ____ - 2022, entitled “A LOCAL LAW amending Chapter 700 of the Laws of Westchester County relating to prohibiting employers from posting job listings without minimum and maximum salary information.” The public hearing will be held at __.m. on the ____ day of _____, 2022 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

TO: BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee recommends the adoption of “A LOCAL LAW amending Chapter 700 of the Laws of Westchester County relating to prohibiting employers from posting job listings without minimum and maximum salary information.”

Your Committee is advised that the Westchester County Human Rights Law (“Human Rights Law”) is intended to address and prevent discrimination, bigotry, prejudice, and intolerance in Westchester County because of a person’s actual or perceived membership in a protected class. Under the Human Rights Law, it is unlawful to discriminate in relation to employment, public accommodations, housing accommodation, commercial space and land transactions, and the issuance of credit.

Your Committee notes that, historically, a gender and racial wage gap has existed. Women earn on average less than their male counterparts do and people of color generally earn less than their White counterparts do. This disparity in pay can have a significant impact on the earnings of woman and people of color over the course of their careers. The Human Rights Law already bans employers from requesting, with few exceptions, the salary history of applicants to prevent employers from excluding people from the pool of applicants and using salary history to perpetuate gender and racial pay disparity.

Your Committee is advised that the proposed amendment to the Human Rights Law will make it unlawful for employers to advertise a job, promotion, or transfer opportunity without also including the minimum or maximum salary for the job, promotion, or transfer, in the job posting or advertisement. In any advertisement for a job, promotion, or transfer opportunity, the employer must provide a range from the lowest to the highest salary the employer in good faith believes at the time of the posting it would pay for the advertised

job, promotion or transfer opportunity. This new requirement will help to bring about transparency around salary ranges and level the playing field for negotiating pay and ensuring that job applicants, particularly women and people of color, are paid a fair salary based upon what the job is worth. Moreover, it will help to close the gender and racial pay disparity by leveling the information playing field and helping to ensure that employees can receive equal pay for equal work, regardless of their group identity. Prospective applicants can better decide whether they want to devote their time to applying for a particular job or forego that particular opportunity if they know the salary range. On the other hand, prospective employers will not waste their time on applicants who are not interested in a particular job based upon the salary range. Colorado and New York City have recently enacted salary range disclosure laws.

Your Committee is advised that the proposed amendment will make it an unlawful discriminatory practice to fail to include the minimum and maximum salary for a job posting. Posting is defined as any written or printed communication whether electronic or hard copy, that the employer is recruiting and accepting applications for a specific position but does not include a “Help Wanted” sign or similar communication, affixed to the premises of the employer or place of employment, indicating only generally, without reference to any particular positions, that an employer is accepting applications or hiring. The amendment would apply to any employer posting for positions that can or will be performed, in whole or in part, in Westchester County, whether from an office, in the field, or remotely from the employee’s home. Violations of this amendment would be subject to any of the appropriate penalties listed in Section 700.11(h) of the Laws of Westchester County.

Your Committee is informed that the proposed legislation does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators. Your Committee concurs in this conclusion.

Your Committee recommends adoption of this Local Law.

Dated: _____, 2022
White Plains, New York

COMMITTEE ON

JSW-4/18/2022

RESOLUTION NO. ____ – 2022

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. ____ - 2022, entitled “A LOCAL LAW amending Chapter 700 of the Laws of Westchester County relating to prohibiting employers from posting job listings without minimum and maximum salary information.” The public hearing will be held at __.m. on the ____ day of _____, 2022 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

LOCAL LAW INTRO. NO. -2022

A LOCAL LAW amending Chapter 700 of the Laws of Westchester County relating to prohibiting employers from posting job listings without minimum and maximum salary information.

BE IT ENACTED by the County Board of the County of Westchester as follows:

Section 1. Subsection 9 of Section 700.03 of the Laws of Westchester County is hereby amended to read as follows:

Section 700.03. – Unlawful discriminatory practices in employment.

a. It shall be an unlawful discriminatory practice:

...

9. For an employer, labor organization, employment agency or licensing agency, or employee or agent to:

- (i) Post a job, promotion, or transfer opportunity without stating the minimum and maximum salary for such position in such posting. In stating the minimum and maximum salary for a position, the range may extend from the lowest to the highest salary the employer in good faith believes at the time of the posting it would pay for the advertised job, promotion, or transfer opportunity. This subdivision does not apply to a job posting for temporary employment at a temporary help firm as such term is defined by subdivision 5 of section 916 of article

31 of the New York State Labor Law. Posting is defined as any written or printed communication whether electronic or hard copy, that the employer is recruiting and accepting applications for a specific position but does not include a “Help Wanted” sign or similar communication, affixed to the premises of the employer or place of employment, indicating only generally, without reference to any particular positions, that an employer is accepting applications or hiring. For the purposes of this subdivision, an employer, defined in section 700.02(7) of this Chapter, shall also include any employer who posts for positions that can or will be performed, in whole or in part, in Westchester County, whether from an office, in the field, or remotely from the employee’s home.

- (ii) Rely on the wage history of a prospective employee from any current or former employer of the individual in determining the wages for such individual; provided that an employer may rely on prior wage history when it is voluntarily provided by a prospective employee to support a wage higher than the wage offered by the employer;

- (iii) Orally, or in writing, request or require as a condition of being interviewed, or as a condition of continuing to be considered for an offer of employment, or as a condition of employment, that a prospective employee disclose information about the employee's own wages from any current or former employer; and
- (iv) Orally, or in writing, seek from any current or former employer the previous wages of any prospective employee; provided, however, that an employer may seek to confirm prior wage information only after an offer of employment with compensation has been made to the prospective employee and the prospective employee responds to the offer by providing prior wage information to support a wage higher than offered by the employer. Under these circumstances, the employer may only seek to confirm prior wages after obtaining written authorization by the prospective employee to do so.

The employer shall not refuse to hire or otherwise retaliate against an employee or prospective employee based upon prior wage or salary history or because the employee or prospective employee has opposed any act or practice made unlawful by this subdivision.

This section shall be null and void on the day that Statewide legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent State or federal administrative agency issues and promulgates regulations preempting such action by the County of Westchester. The County Legislature may determine via mere resolution whether or not identical or substantially similar statewide legislation, or pertinent preempting State or federal regulations have been enacted for the purposes of triggering the provisions of this section.

Section 3. This Local Law shall take effect 180 days after enactment.