# Board of Legislators Meeting Agenda



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

Monday, May 20, 2024

7:00 PM

**Legislative Chambers** 

### **Regular Meeting**

# **CALENDAR 12 (CONSENT)**

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website:

https://westchestercountyny.legistar.com/ This website also provides links to materials for all matters to be discussed at a given meeting.

Legislator Ulaj will be participating remotely from 520 White Plains Road, Tarrytown, NY 10591.

Legislator Smith will be participating remotely from 1132 Main Street, Suite 1, Peekskill, NY 10566..

### **CALL TO ORDER**

### MINUTES APPROVAL

May 6, 2024, 7pm, Regular Meeting

#### PUBLIC COMMENT

Speal	kers	
	NCI 3	

### PUBLIC HEARING

### 1. <u>2024-119</u> <u>PH - Local Law Amending Chapter 780</u>

A Public Hearing on "A LOCAL LAW amending Chapter 780 of the Laws of Westchester County relating to the requirement that the County receive prior written notice of a defective condition to maintain a civil action." [Public Hearing set for May 20, 2024 at 7:30 p.m.]. LOCAL LAW INTRO: 2024-120.

SUBMITTED BY: COMMITTEE ON LEGISLATION AND LAW & MAJOR CONTRACTS

Speakers	
*Please see Standing Committee	Item No. 2024 -120 for back-up.

# 2. <u>2024-160</u> PH-Amend Lease Agreement with Port Chester Gateway LLC

A Public Hearing on "A LOCAL LAW authorizing the County of Westchester to amend the lease agreement with Port Chester Gateway LLC, in order to extend the term of the lease for an additional five (5) years commencing on June 1, 2024, with a County option to further extend the term of the lease for an additional five (5) years commencing on June 1, 2029. [Public Hearing set for May 20, 2024 at 7:30

p.m.]. LOCAL LAW INTRO: 2024-161.

SUBMITTED BY: COMMITTEES ON LEGISLATION AND BUDGET & APPROPRIATIONS

Speakers			
*Please see Standing	Committee Item No.	2024 -161	for back-up.

## 3. <u>2024-216</u> PH - Indian Point Energy Center Tax Exemption

A Public Hearing on "A LOCAL LAW authorizing the County of Westchester to exempt from taxation, in accordance with the provisions of Section 485 of the New York Real Property Tax Law, certain properties located in the Town of Cortlandt that comprised the former Indian Point Energy Center, and to enter into an agreement with Holtec Indian Point 2, LLC and Holtec Indian Point 3, LLC for payments in lieu of taxes for those properties." [Public Hearing set for May 20, 2024 at 7:30 p.m.]. Local Law Intro: 2024-217.

SUBMITTED BY: COMMITTEES ON BUDGET& APPROPRIATIONS AND LEGISLATION

Speakers			
*Please see Standing	Committee Item	No. 2024 - 217	7 for back-up.

# 4. <u>2024-218</u> <u>PH - Proposed PILOT Agreement</u>

A Public Hearing on the proposed agreement with Holtec Indian Point 2, LLC and Holtec Indian Point 3, LLC for payments in lieu of taxes, in accordance with provisions of Section 485 of the New York Real Property Tax Law, for certain properties located in the Town of Cortandt that comprised the former Indian Point Energy Center. [Public Hearing set for May 20, 2024 at 7:30 p.m.].

SUBMITTED BY: COMMITTEES ON BUDGET& APPROPRIATIONS AND LEGISLATION

Speakers		
*Please see Standing Committee Item No.	2024 - 217 fc	or back-up

### **UNFINISHED BUSINESS**

#### I. COMMUNICATIONS

#### A. COUNTY EXECUTIVE

## SI. 1. 2024-291 CBA-BPR03-Woodfield Cottage Infrastructure

AN ACT amending the 2024 County Capital Budget Appropriations for Capital Project BPR03 - Woodfield Cottage Infrastructure.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND** 

#### **PUBLIC WORKS & TRANSPORTATION**

### SI. 2. 2024-292 BOND ACT-BPR03-Woodfield Cottage Infrastructure

A BOND ACT authorizing the issuance of FOUR MILLION (\$4,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BPR03 - Woodfield Cottage Infrastructure.

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

### SI. 3. 2024-293 CBA-RPA04-General Infrastructure Pathways and Trails II

AN ACT amending the 2024 County Capital Budget Appropriations for Capital Project RPA04 General Infrastructure Pathways and Trails II.

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

### SI. 4. 2024-294 BOND ACT-RPA04-General Infrastructure Pathways and Trails II

A BOND ACT authorizing the issuance of THREE HUNDRED THIRTY THOUSAND (\$330,000) DOLLARS in bonds of Westchester County to finance Capital Project RPA04 - General Infrastructure Pathways and Trails II.

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

# SI. 5. 2024-295 ACT-WCHCC-Medical Services to Employees of Dept. of Health & Dept. of Labs and Research

AN ACT authorizing the County of Westchester to enter into an agreement with the Westchester County Health Care Corporation for a term commencing June 1, 2024 through May 31, 2029 whereby the WCHCC shall provide post exposure evaluation and follow up medical services to employees of both the Department of Health and the Department of Laboratories and Research for potential exposure to bloodborne pathogens.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND HUMAN SERVICES

# SI. 6. 2024-296 ACT-Sexual Risk Avoidance Education Program

AN ACT authorizing the County of Westchester to enter into (i) a grant agreement with the New York State Office of Children and Family Services to accept grant funds to continue a Sexual Risk Avoidance Education Program and (ii) to enter into inter-municipal agreements with the Cities and/or Villages of Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, White Plains and Yonkers for services to be funded with the grant funds.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND HUMAN SERVICES

# SI. 7. 2024-300 CBA-SLI04-Mamaroneck WRRF BNR Media and Aeration Equipment Replacement

AN ACT amending the 2024 County Capital Budget Appropriations for Capital Project SL104 - Mamaroneck Waste Water Resource Recovery (WRRF) BNR Media and Aeration Equipment Replacement.

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

# SI. 8. 2024-301 BOND ACT(Amended)-SLI04-Mamaroneck WRRF BNR Media and Aeration Equipment Replacement

A BOND ACT (Amended) authorizing the issuance of an additional FIFTEEN MILLION (\$15,000,000) DOLLARS in bonds of Westchester County, making the total Bond Act FORTY-NINE MILLION, FIVE HUNDRED THOUSAND (\$49,500,000) DOLLARS to finance Capital Project SL104 - Mamaroneck Waste Water Resource Recovery (WRRF) BNR Media and Aeration Equipment Replacement.

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

### SI. 9. 2024-302 ACT-Year-End Transfers Across County Departments

AN ACT authorizing the transfer of appropriations across County departments in the amount of SEVENTY-FOUR MILLION, FOUR HUNDRED NINE THOUSAND, NINE HUNDRED SEVENTY-SEVEN (\$74,409,977) DOLLARS.

**COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS** 

## SI. 10.2024-303 RES-Year-End Transfers Within Various Departments

A RESOLUTION authorizing the transfer of appropriations within various departments in the amount of THIRTY-ONE MILLION, SEVEN HUNDRED FORTY THOUSAND, FIVE HUNDRED THIRTY-THREE (\$31,740,533) DOLLARS.

COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

### SI. 11.2024-304 ACT-2023 Budget Amendment

AN ACT authorizing the amendment of the 2023 County Operating Budget in the amount of TWENTY-EIGHT MILLION, ONE HUNDRED FORTY-FIVE THOUSAND, FOUR HUNDRED FORTY-NINE (\$28,145,449) DOLLARS and the 2023 County Special Districts Budget in the amount of ONE MILLION, FOUR HUNDRED TWENTY-TWO THOUSAND (\$1,422,000) DOLLARS.

COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

### **B. COUNTY ATTORNEY**

### 1. <u>2024-288</u> ACT - Lawsuit Settlement Dalton v. Westchester County et al.

AN ACT authorizing the County Attorney to settle the lawsuit of Thomas Dalton v. Orange County and Westchester County in the amount of TWO HUNDRED NINETY-FIVE THOUSAND (\$295,000) DOLLARS, inclusive of attorney's fees.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

#### C. LEGISLATORS

# 1. <u>2024-262</u> <u>IMA - City of New Rochelle - National Night Out</u>

AN ACT authorizing the County of Westchester to enter into an inter-municipal agreement with the City of New Rochelle, acting by and through its Police Department, pursuant to which the City of New Rochelle will provide its National Night Out program within the period from January 1, 2024 through December 31, 2024 for a total amount not to exceed FOUR THOUSAND, ONE HUNDRED TWENTY (\$4,120.00) DOLLARS.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

### 2. <u>2024-263</u> IMA - City of Peekskill - National Night Out

AN ACT authorizing the County of Westchester to enter into an inter-municipal agreement with the City of Peekskill, acting by and through its Police Department, pursuant to which the City of Peekskill will provide its National Night Out program within the period from January 1, 2024 through December 31, 2024 for a total amount not to exceed TWO THOUSAND (\$2,000) DOLLARS.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

# 3. <u>2024-289</u> HON. MARGARET A. CUNZIO: Request for removal from W.C. Saw Mill Sanitary Sewer District - 127 Palmer Lane, Thornwood

Forwarding correspondence from the Town of Mt. Pleasant requesting removal from the Westchester County Saw Mill Sanitary Sewer District - 127 Palmer Lane, Thornwood.

COMMITTEE REFERRAL: COMMITTEE ON PUBLIC WORKS & TRANSPORTATION

# SI. 4. 2024-305 Legislators Tubiolo, Smith and Ulaj - Memo of Legislation Mandating Apprenticeship Opportunities on Certain County Construction Projects

A Memo of Legislation to require all contractors and approved subcontractors seeking to contract with the County have a NYS DOL approved apprenticeship program in place prior to the award of any construction contract in excess of \$250,000.

COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND LABOR & HUMAN RIGHTS

# SI. 5. 2024-306 LEGISLATORS BOYKIN AND CUNZIO - PH - Amending Chapter 107 of the Laws of Westchester County to modify the length of terms for Legislator

A RESOLUTION to set a Public Hearing on "A LOCAL LAW amending Chapter 107 of the Laws of Westchester County to modify the length of terms for Westchester County Legislator." [Public Hearing set for \_\_\_\_\_\_\_, 2024 at \_\_\_\_\_ .m.]. LOCAL LAW INTRO: 2024-307.

# COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND LABOR & HUMAN RIGHTS

SI. 6. 2024-307

Legislators Boykin and Cunzio - LL - Amending Chapter 107 of the

Laws of Westchester County to modify the length of terms for WC

Legislator

A LOCAL LAW amending Chapter 107 of the Laws of Westchester County to modify the length of terms for Westchester County Legislator.

COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND LABOR & HUMAN RIGHTS

- D. OTHERS
- **II. NOTICES & PETITIONS**
- III. STANDING COMMITTEES
- 1. <u>2024-120</u> <u>LL Amending Chapter 780</u>

A LOCAL LAW amending Chapter 780 of the Laws of Westchester County relating to the requirement that the County receive prior written notice of a defective condition to maintain a civil action."

SUBMITTED BY: COMMITTEE ON LEGISLATION AND LAW & MAJOR CONTRACTS

# 2. <u>2024-161</u> <u>LOCAL LAW-Amend Lease Agreement with Port Chester Gateway</u> LLC

A LOCAL LAW authorizing the County of Westchester to amend the lease agreement with Port Chester Gateway LLC, in order to extend the term of the lease for an additional five (5) years commencing on June 1, 2024, with a County option to further extend the term of the lease for an additional five (5) years commencing on June 1, 2029.

SUBMITTED BY: COMMITTEES ON LEGISLATION AND BUDGET & APPROPRIATIONS

Local Law Intro No. 161 - 2024	VOTE

# 3. <u>2024-217</u> <u>LL - Indian Point Energy Center Tax Exemption</u>

A LOCAL LAW authorizing the County of Westchester to exempt from taxation, in accordance with the provisions of Section 485 of the New York Real Property Tax Law, certain properties located in the Town of Cortlandt that comprised the former Indian Point Energy Center, and to enter into an agreement with Holtec Indian Point 2, LLC and Holtec Indian Point 3, LLC for payments in lieu of taxes for those properties.

SUBMITTED BY: COMMITTEES ON BUDGET& APPROPRIATIONS AND LEGISLATION

Board of Legislators	Meeting Agenda	May 20, 202
Local Law Intro No.	217 - 2024 VOTE	
the North Salem Cer County police officers School and at the Dis	IMA-School Resource Officers-North Salthe County of Westchester to renew an intentral School District whereby the County will s to serve as School Resource Officers at the strict's Pequenakonck Elementary School for DMMITTEES ON BUDGET & APPROPRIA	rmunicipal agreement with assign two (2) uniformed ne District's Middle/High or a five (5) year term.
<b>5</b> . <u>2024-249</u>	PH-Amend Lease Agreement with Brook	s Shopping Centers, LLC
Westchester, acting agreement with Broo Shopping Center, Younder the lease by a work required by WC	set a Public Hearing on "A LOCAL LAW autleby and through the Westchester Community iks Shopping Centers, LLC, for space located onkers, in order to authorize an increase to the amount of FIVE HUNDRED THOUSAND CC to be able to operate as a 21st century factory at m.]. LOCAL LAW INTERMITTEES ON BUDGET & APPROPRIA CORTATION	y College, to amend the leased at the Cross County he total amount payable (\$500,000) DOLLARS for acility. [Public Hearing set for RO: 2024-250.
RESOLUTION	2024 VOTE	
<b>6.</b> <u>2024-252</u>	IMA-Sixth Grade Leadership Academy-Y	onkers en
with the City of Yonk commencing retroac amount of TWO HUN amount not to exceed the County plus a 10	the County of Westchester to enter into an iters, for a Sixth Grade Leadership Academy tively on January 1, 2024 and expiring on Jundred TWENTY THOUSAND (\$220,000) of ONE HUNDRED TEN THOUSAND (\$110) match from the Municipality.  **DMMITTEES ON BUDGET & APPROPRIA**  I	program for the period une 30, 2025, for a total DOLLARS, comprised of an ,000) DOLLARS payable by
ACT 2024	VOTE	
<b>7.</b> 2024-264	IMA-Youth Development Program-Mount	<u>t Vernon</u>
with the City of Moun	the County of Westchester to enter into an into the City of Mount Vernon pursuant to which the City of Mountervices under its Youth Development Programment	nter-municipal agreement nt Vernon will provide certain

commencing retroactively on January 1, 2024 and expiring on December 31, 2024 for a total amount not to exceed ONE HUNDRED EIGHTY THOUSAND, SEVEN HUNDRED

Board of Legislators		Meeting Agenda	May 20, 2024
EIGHTEEN (\$180,7 COMMITTEE REFI VETERANS, SENI	ERRAL: COMM	ITTEES ON BUDGET & APPI	ROPRIATIONS AND
ACT 2024	4	VOTE	
for the term Februa	ppointing Brian h ary 28, 2024 to D	Kerr as a member of the Westo	chester County Youth Board
RESOLUTION	2024	VOTE	
A RESOLUTION ap	ppointing Joanna April 2, 2024 to l	Board-Jimenez a Jimenez as a member of the December 31, 2026. N APPOINTMENTS	Westchester County Youth
RESOLUTION	2024	VOTE	
A RESOLUTION ap	ppointing Anaha ty Commission f	ng Opportunity Commission- ita N. Kotval as a member of to or the term April 1, 2024 to De N APPOINTMENTS	he Westchester County
RESOLUTION	2024	VOTE	
Hispanic Advisory	ppointing Maritza Board for the ter	nic Advisory Board-Fasack a Fasack as a member of the \ m March 25, 2024 to December N APPOINTMENTS	
RESOLUTION	2024	VOTE	
A RESOLUTION re Council on People	eappointing Lucil	risory Council on People with the Rossi as a member of the V for the term January 31, 2024 IN APPOINTMENTS	Vestchester County Advisory
RESOLUTION	2024	VOTE	

13.	<u>2024-278</u>	REAPPT-Advisory Council on People with Disabilities-Horowitz

A RESOLUTION reappointing Carin Horowitz as a member of the Westchester County Advisory Council on People with Disabilities for the term January 31, 2024 to December 31, 2025.

SUBMITTED BY: COMMITTEE ON APPOINTMENTS

RESOLUTION	2024	VOTE	
			eople with Disabilities-Mark the Westchester County Advisory
	with Disabilities f	for the term January	31, 2024 to December 31, 2025.
RESOLUTION	2024	VOTE	
<b>15.</b> <u>2024-280</u>	REAPPT-Adv	isory Council on Pe	ople with Disabilities-DeGatano
			mber of the Westchester County January 1, 2024 to December 31,
SUBMITTED BY: (	COMMITTEE ON	I APPOINTMENTS	
RESOLUTION	2024	VOTE	
<b>16.</b> <u>2024-287</u>	ACT - Agreen	nent Amendment - M	McCarthy Fingar, LLP.
LLP, as previously the County Attorney indenture, which sp	amended pursua y, as needed, in ecifically affect t	ant to which the firm s connection with a ma he County park know	with the law firm of McCarthy Fingar serves in an "of counsel" capacity to atter concerning a will and an on as Merestead, by increasing the WENTY-SIX THOUSAND (\$26,000)
SUBMITTED BY: (	COMMITTEES O	N BUDGET & APPR	ROPRIATIONS AND LAW & MAJOR
CONTRACTS			
ACT 2024	1	VOTE	-
<b>SI. 17</b> . <u>2024-226</u>	BOND ACT-S	Y058-2498-Yonkers	Joint WRRF Info Tech Infrast.

A BOND ACT authorizing the issuance of EIGHT HUNDRED FIFTY THOUSAND (\$850,000) DOLLARS in bonds of Westchester County to finance Capital Project SY058 - Yonkers Joint Water Resource and Recovery Facility (WRRF) Info Tech Infrastructure Upgrade.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC **WORKS & TRANSPORTATION** 

Board of Legislators		Meeting Agenda	May 20, 2024
BOND ACT	2024	VOTE	
<b>SI. 18.</b> <u>2024-229</u>	BOND AC	T-SPK26-McGregory Brook Relie	ef Sewer
(\$1,900,000) DOLL McGregory Brook R	ARS in bond Relief Sewer.	suance of ONE MILLION, NINE HU s of Westchester County to financ	e Capital Project SPK26 -
SUBMITTED BY: C WORKS & TRANS		S ON BUDGET & APPROPRIATI I	ONS AND PUBLIC
BOND ACT	2024	VOTE	
<b>SI. 19.</b> 2024-230	BOND AC	T(Amended)-SPK26-McGregory	Brook Relief Sewer
bonds authorized the DOLLARS for proje	nereunder of cts SOS07, SOMMITTEE	ting the correct estimated maximul TWO MILLION, NINE HUNDRED SPK23, SY044 and SY053. S ON BUDGET & APPROPRIATI	THOUSAND (\$2,900,000)
BOND ACT	2024	VOTE	
A BOND ACT authors (\$665,000) DOLLAR Correctional Facility	orizing the iss RS in bonds or Replace Fire COMMITTEE	S ON BUDGET & APPROPRIATI	FIVE THOUSAND Capital Project BCR64 -
BOND ACT	2024	VOTE	
A BOND ACT author DOLLARS in bonds Water Resource Re	orizing the iss of Westches ecovery Facili	T-SPC43-Port Chester WRRF Effections of SEVEN HUNDRED FIF- ster County to finance Capital Projity (WRRF) Effluent Forcemain. S ON BUDGET & APPROPRIATION	TY THOUSAND (\$750,000) ect SPC43 - Port Chester
BOND ACT	2024	VOTE	
<b>SI. 22</b> .2024-253	PH-Sewer	District Mod-Return-Cortlandt	

**PH-Sewer District Mod-Return-Cortlandt** 

A RESOLUTION to set a Public Hearing on "AN ACT to modify the Peekskill Sanitary Sewer District by the addition of one (1) parcel of property located in the Town of Cortlandt. [Public Hearing set for, 2024 atm.]. ACT INTRO: 2024-254.  SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION
RESOLUTION 2024
SI. 23.2024-298 ACT - Enter into Agreement with Harco National Ins.
AN ACT authorizing the County of Westchester to enter into an agreement with Harco National Insurance Company, as surety (the "Surety") for Transit Construction Corp., ("Transit"), and with Transit-Halmar, JV, for the County to settle its claim against the Surety regarding Department of Public Works and Transportation Contract No. 19-510, (the "Contract"), whereby the Surety shall tender to the County, the services of Transit-Halmar, JV, and Trasnit-Halmar, JV shall agree to complete the remaining work under the Contract. SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS
*Please note: This County Attorney communication was placed directly into committee

VOTE \_\_\_\_

## **IV. SPECIAL ORDERS**

ACT \_\_\_\_\_ - 2024

for immediate consideration.

# **MOTIONS, RESOLUTIONS & CALL OF THE DISTRICTS**

### 1. <u>2024-290</u> <u>Memorial Resolutions 8-2024</u>

HON. NANCY BARR: Grazzietta "Grace" Ferrante

HON. MARGARET A. CUNZIO: Paul E. Morris, Ken Tierney

HON. DAVID J. TUBIOLO: James Hegarty, Vincent Pici

# **ADJOURNMENT**

Next Meeting: June 3, 2024, at 7pm.