

Board of Legislators

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

Meeting Agenda

Monday, February 8, 2021 7:00 PM Legislative Chambers

CALENDAR 3 (CONSENT)

CALL TO ORDER

MINUTES APPROVAL

January 25, 2021 at 7PM MINUTES

PUBLIC	COMMENT
Speakers	

PUBLIC HEARING

1. <u>2021-12</u> PH-Sewer District Modification-Add 1 Parcel-Briarcliff Manor

A RESOLUTION to set a Public Hearing on "AN ACT to Modify the Saw Mill Sanitary Sewer District by the Addition of One (1) parcel of Property Located in the Village of Briarcliff Manor." [Public Hearing set for February 8, 2021 at 7:30 p.m.]. (formerly MT # 13079)

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH

Speakers____

2. <u>2021-15</u> PH-Sewer District Modification-Add 4 Parcels-Briarcliff Manor

A RESOLUTION to set a Public Hearing on "AN ACT to Modify the Ossining Sanitary Sewer District by the Addition of Four (4) parcels of Property Located in the Village of Briarcliff Manor." [Public Hearing set for February 8, 2021 at 7:30 p.m.]. (formerly MT # 13081)

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH

Speakers____

UNFINISHED BUSINESS

1. <u>2021-7</u> IMA-Prisoner Transportation-Yonkers

AN ACT authorizing the County to enter into an Intermunicipal Agreement with the City of Yonkers in order to provide reimbursement for prisoner transportation to the Westchester County Jail. (formerly MT # 13085)

^{*}Please see Standing Committee Item # 2021-13 for back-up.

^{*}Please see Standing Committee Item # 2021-17 for back-up.

I. COMMUNICATIONS

A. COUNTY EXECUTIVE

1. <u>2021-124</u> <u>APPT-Labs & Research Board of Managers-Howell</u>

A RESOLUTION appointing Dr. Renee M. Howell as a member of the Westchester County Laboratories and Research Board of Managers for the term January 1, 2021 to December 31, 2025.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

2. <u>2021-125</u> APPT-Labs & Research Board of Managers-Morton

A RESOLUTION appointing Dr. Lori Morton as a member of the Westchester County Laboratories and Research Board of Managers for the term January 1, 2021 to December 31, 2025.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

3. <u>2021-126</u> <u>APPT-Taxi & Limousine Commission-Toal, Jr.</u>

A RESOLUTION appointing Terence Toal, Jr., as a member of the Westchester County Taxi and Limousine Commission for the term January 4, 2021 to December 31, 2027.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

4. <u>2021-127</u> <u>APPT-African American Advisory Board-McCann</u>

A RESOLUTION appointing Ke-Myra V.L. McCann as a member of the Westchester County African American Advisory Board for the term January 13, 2021 to December 31, 2022. **COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**

5. <u>2021-129</u> <u>APPT-LGBTQ Advisory Board-Simon</u>

A RESOLUTION to appoint Rachel Simon as a member of the Westchester County LGBTQ Advisory Board for the term December 22, 2020 to December 31, 2024.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

6. <u>2021-130</u> <u>APPT-Local Development Corporation-Watson</u>

A RESOLUTION to appoint Judith Watson as a member of the Westchester County Local Development Corporation for the term beginning January 6, 2021 and to serve at the pleasure of the County Executive.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

7. <u>2021-131</u> **REAPPT-Board of Ethics-Summers**

A RESOLUTION to reappoint Brett Summers as a member of the Westchester County Board of Ethics for the term January 1, 2021 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

8. <u>2021-132</u> REAPPT-Board of Ethics-Covill

A RESOLUTION to reappoint Hon. Kitley Covill as a member of the Westchester County Board of Ethics for the term January 1, 2021 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

9. 2021-133 REAPPT-Board of Ethics-Kremer

A RESOLUTION to reappoint Dennis Kremer as a member of the Westchester County Board of Ethics for the term January 1, 2021 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

10. <u>2021-134</u> <u>REAPPT-Board of Ethics-Matystik, Jr.</u>

A RESOLUTION to reappoint Walter Matystik, Jr., as a member of the Westchester County Board of Ethics for the term December 23, 2020 to December 31, 2022.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

11. <u>2021-135</u> <u>REAPPT-Parks, Recreation and Conservation Board-Tillinghast aka</u> <u>Dubitsky</u>

A RESOLUTION to reappoint Pamela (Dubitsky) Tillinghast as a member of the Westchester County Parks, Recreation and Conservation Board for the term January 1, 2021 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

B. COUNTY ATTORNEY

1. <u>2021-141</u> <u>ACT - Amendment to Retainer Agreement</u>

AN ACT authorizing the County of Westchester to further amend a retainer agreement with the law firm of Sheppard, Mullin, Richter & Hampton LLP, for the provision of outside counsel legal services in connection with the civil matter Yonkers Contracting Company, Inc. v. County of Westchester, et al, be extending the term thereof through December 31, 2021. COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

2. <u>2021-142</u> <u>ACT - Lawsuit Settlement - County v. IFIC</u>

AN ACT authorizing the County Attorney to settle an action on behalf of the County of Westchester (the "County") against International Fidelity Insurance Company ("IFIC") for the

total amount of \$75,000, regarding breach of an obligation under a payment and performance bond, relating to a breach of an agreement by, and termination of an agreement with, R&S Waste Services, LLC ("R&S"), dated February 16, 2017, for which IFIC is the Surety.

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

SI 3. 2021-153 <u>ACT - Second Restated and Amended Playland Management</u> <u>Agreement with Standard Amusement, LLC</u>

AN ACT authorizing the County of Westchester to enter into a Second Restated and Amended Playland Management Agreement with Standard Amusements, LLC in order to fully resolve the allegations set forth in the Chapter 11 case entitled: *In re Standard Amusements LLC, Debtor, Case No. 19-23061 (RDD) and the Adversary Proceeding No. 19-08264 (RDD), Standard Amusements LLC, Plantiff v. The County of Westchester, by and through George Latimer, in his official capacity as County Executive of Westchester, Kathleen O'Connor in her official capacity as the Commissioner of the Department of Parks, Recreation and Conservation, and Hugh J. Greechan, in his official capacity as the Commissioner of the Department of Public Works and Transportation, Defendant.*

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

C. LEGISLATORS

1. <u>2021-143</u> Resolution in Support of the Commemoration of the 250th Anniversary of our nation

A RESOLUTION supporting the commemoration of the 250th anniversary of our nation in conjunction with state, regional and local initiatives.

COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

SI 2. 2021-151 HON. BEN BOYKIN - Westchester County Public Safety Racial Profiling Report

Forwarding the July to December 2020 Racial Profiling Report for the Westchester County Department of Public Safety.

COMMITTEE REFERRAL: COMMITTEE ON PUBLIC SAFETY

D. OTHERS

1. <u>2021-150</u> <u>CLERK OF THE BOARD - 2020 Westchester County Clerk Annual Report</u>

Forwarded from the County Clerk, his Annual Report for the fiscal year 2020.

COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

II. NOTICES & PETITIONS

1. <u>2021-136</u> HON. BENJAMIN BOYKIN - Suspension of Rules

Forwarding a letter from the Chairman of the Board, dated January 28, 2021, serving the Clerk of the Board written notice of his intent to suspend County Board Rule 4.1 for the February 8, 2021 Regular Board Meeting.

Submitted by THE CLERK OF THE BOARD-NO COMMITTEE REFERRAL NECESSARY

2. <u>2021-145</u> CLERK OF THE BOARD - Local State of Emergency Declaration

Forwarding from the County Executive a local state of Emergency beginning at 1 p.m. on the 1st day of February 2021 and ending at 1 p.m. on the 4th day of February, 2021.

Submitted by THE CLERK OF THE BOARD-NO COMMITTEE REFERRAL NECESSARY

3. <u>2021-146</u> <u>CLERK OF THE BOARD - COVID-19 Local State of Emergency Extension</u>

Forwarded from the County Executive, his COVID-19 Local State of Emergency extension.

Submitted by THE CLERK OF THE BOARD-NO COMMITTEE REFERRAL NECESSARY

III. STANDING COMMITTEES

1. <u>2021-13</u> <u>Sewer District Modification-Add 1 Parcel-Briarcliff Manor</u>

AN ACT to Modify the Saw Mill Sanitary Sewer District by the Addition of One (1) parcel of Property Located in the Village of Briarcliff Manor. (formerly MT # 13080)

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH

ACT	-2021	VOTE	
<i>.</i>		• • • • • • • • • • • • • • • • • • • •	

2. <u>2021-17</u> <u>Sewer District Modification-Add 4 Parcels-Briarcliff Manor</u>

AN ACT to Modify the Ossining Sanitary Sewer District by the Addition of Four (4) parcels of Property Located in the Village of Briarcliff Manor.(formerly MT # 13082)

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH

ACT	2021	VOTE

3. <u>2021-30</u> <u>BOND ACT-Heavy Equipment (B035E & RGP13)</u>

A BOND ACT authorizing the issuance of ONE MILLION, SIX HUNDRED THOUSAND (\$1,600,000) DOLLARS in bonds of Westchester County to finance Capital Projects B035E - Equipment Replacement Program (2021-2025) and RGP13 - General Infrastructure - Vehicle Replacement (2021-2025) for 2021.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH

Board of Legislators		Meeting Agenda	February 8, 202
BOND ACT	2021	VOTE	
4. 2021-31	BOND ACT-M	ass Transit Vehicles (T001U	J & T001Y)
A BOND ACT auth THOUSAND (\$4,7 Project T001U - Re Coach Buses for 2 Submitted by CO	norizing the issuar (50,000) DOLLAR eplacement of Thi (2021)	nce of FOUR MILLION, SEVE S in bonds of Westchester Co irty-Foot Buses and T001Y - F BUDGET & APPROPRIATION	IN HUNDRED FIFTY County to finance Capital Replace Orion Forty-Foot
TRANSPORTATIO	ON AND ENVIRO	NMENT & HEALTH	
BOND ACT	2021	VOTE	
5. 2021-71	Support of ne	w National Infrastructure Ba	ank
Bank. (formerly M	T # 13114) MMITTEES ON B	of HR6422 which would estab SUDGET & APPROPRIATION	
RESOLUTION	2021	VOTE	-
6. <u>2021-119</u>	Bond ActSY	048-Yonkers Joint Treatmer	nt Plant Bulkhead Rehab.
	nty to finance Capi	nce of FIVE MILLION (\$5,000 ital Project SY048 - Yonkers c	
	MMITTEES ON B	SUDGET & APPROPRIATION	NS AND PUBLIC WORKS &
BOND ACT	2021	VOTE	
7 . <u>2021-120</u>	BOND ACT-S	0S85-Sewer System Rehab.	-Ossining SSD
DOLLARS in bond System Rehabilita	ls of Westchester tion - Ossining Sa MMITTEES ON B	nce of SEVEN HUNDRED FIF County to finance Capital Pro nitary Sewer District. BUDGET & APPROPRIATION	oject SOS-85 - Sewer
BOND ACT	2021	VOTE	
8. <u>2021-92</u>	REAPPT-Stor	m Water Advisory Board-Ca	<u>iggiano</u>
		s Caggiano as a member of t term September 22, 2020 to	

Board	l of Legislators		Meeting Agenda	February 8, 2021
•	(Formerly MT#13057) Submitted by COMMITTEE ON APPOINTMENTS			
RES	OLUTION	2021	VOTE	
9.	2021-106	APPT-Advisory	Council on People with Disa	<u>bilities-Gilberg</u>
Cour Dece	ty Advisory Co mber 31, 2021			
RES	OLUTION	2021	VOTE	
10.	2021-111	APPT-Police B	oard-Belfiore	
Boar	SOLUTION ap	pointing Lori Belf	iore as a member of the Westch December 31, 2023.	nester County Police
RES	OLUTION	2021	VOTE	
11.	2021-112	APPT-Storm W	later Advisory Board-McEnerr	<u>ney</u>
Cour 31, 2	ity Storm Wate 022.		McEnerney, P.E., as a member for a term January 1, 2020 and POINTMENTS	
RES	OLUTION	2021	VOTE	
12.	2021-113	REAPPT-Storm	n Water Advisory Board-Bradb	bury
A RESOLUTION reappointing Christopher Bradbury as a member of the Westchester County Storm Water Advisory Board for a term to commence from January 1, 2020 to December 31, 2022.				
Subr	nitted by COM	MITTEE ON APP	POINTMENTS	
RES	OLUTION	2021	VOTE	
13.	2021-114	REAPPT-Storm	n Water Advisory Board-Sumr	<u>nerfield</u>
Storn	n Water Adviso		Summerfield as a member of the rm from January 1, 2020 to Dec POINTMENTS	
RES	OLUTION	2021	VOTE	
14.	<u>2021-115</u>	REAPPT-WCC	Board of Trustees-Nonna	

A RESOLUTION reappointing John Nonna to the Westchester Community College Board of

VOTE ____

RESOLUTION _____-2021

SI 20 . 2021-97	REAPPT-Council for Seniors-Lindholm
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A Resolution reappointing Daryl Lindolm as the District 1 representative member of the Westchester County Council for Seniors for the term October 27, 2020 to December 31, 2021. (Formerly MT #13096)

Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION	2021	VOTE	
SI 21 . <u>2021-98</u>	REAPPT-Taxi and	Limousine Comn	nission-David
Limousine Commiss #13097)		ober 5, 2020 to De	e Westchester County Taxi and cember 31, 2026. (Formerly MT
RESOLUTION	2021	VOTE	
SI 22 . <u>2021-99</u>	REAPPT-Taxi and	Limousine Comn	nission-Schwartzman
and Limousine Com MT #13104)	•	October 5, 2020 to	of the Westchester County Taxi December 31, 2025. (Formerly
RESOLUTION	2021	VOTE	
SI 23. <u>2021-107</u>	REAPPT-Citizen's	Consumer Adv C	<u>ouncil-Salmon</u>
member of the Wes October 28, 2020 to	•	en's Consumer Ac . (Formerly MT#13	on-Food Merchant representative lvisory Council for the term 125)
RESOLUTION	2021	VOTE	
SI 24. <u>2021-138</u>	APPT-Westcheste	r Community Col	lege Board of Trustees-Williams
Board of Trustees for 31, 2022.		ce on February 8, 2	estchester Community College 2021 and to expire on December
RESOLUTION	2021	VOTE	
SI 25 . <u>2021-139</u>	Resolution - 2021	Joint State Legis	lative Package

A Resolution forwarding Westchester County's 2021 Joint State Legislative Package to the County's State Delegation for consideration during the current legislative session. **Submitted by COMMITTEE ON LEGISLATION**

RESOLUTION	2021	VOTE	
SI 26 . <u>2021-140</u>	Home Rule Reques	t Resolution - North County Trailway	
No. S01138 and Ass	embly Bill No. A0401 convey real propert	esolution requesting the enactment of Senate Bill 7 entitled, "AN ACT authorizing the commissioner y in Westchester County to the County of ATION	
RESOLUTION	2021	VOTE	
SI 27 . <u>2021-149</u>		FRACKING-RELATED DEVELOPMENT AT THE MMER ENERGY SITE	
received about the project, and the overspursuing battery store	roject, concerns that a all economic benefits age and other alterna MITTEES ON PLANI	Danskammer project, based upon information surrounding towns and areas will be harmed by the to Westchester County and adjacent counties of atives for the proposed plant. NING, ECONOMIC DEVELOPMENT & ENERGY	
RESOLUTION	2021	VOTE	
SI 28 . <u>2021-22</u>	BOND ACT-Roads	(RB132, RB144, RB208, RB220, RB224)	
A BOND ACT authorizing the issuance of bonds of Westchester County in the total aggregate amount of FIVE MILLION, SIXTY THOUSAND (\$5,060,000) DOLLARS to finance the 5 following Capital Projects for 2021: RB132-Highland Road, C.R. 308, Harrison, RB144-Crotor Point Avenue, C.R. 7A, Croton-on-Hudson, RB208-Brook Street/Harney Road, C.R. 2, Eastchester, RB220-Woods Road, C.R. 200, And Hammond House Road/Sunshine Cottage Road, C.R. 301, Mount Pleasant and RB224-North State Road, C.R. 154, New Castle. COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION			
BOND ACT	2021	VOTE	
SI 29. <u>2021-25</u>	BOND ACT-Buildin B015C, B015E)	g Systems (BES20, BLR10, B0114, B0115,	

A BOND ACT authorizing the issuance of bonds of Westchester County in the total aggregate

amount of NINE MILLION, SEVENTY-FIVE THOUSAND (\$9,075,000) DOLLARS to finance the following 6 Capital Projects for 2021: BES20-DES Backup Generator, BLR10-Labs and Research Infrastructure Improvements (2017-2021), B0114-Infrastructure Rehabilitation, Valhalla Campus (2021-2025), B0115-Infrastructure Rehabilitation, Mount Vernon District Office (2021-2025), B015C-Interior Infrastructure Repairs, White Plains Complex (2011-2015) and B015E-Interior Infrastructure Repairs, White Plains Complex (2021-2025).

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

BOND ACT	-2021	VOTE	

SI 30. 2021-27 BOND ACT -Sidewalks (B014E & B0115)

A BOND ACT authorizing the issuance of THREE MILLION, NINE HUNDRED THOUSAND (\$3,900,000) DOLLARS in bonds of Westchester County to finance Capital Project B014E - Exterior Infrastructure Repairs, White Plains Complex (2021-2025) and Capital Project B0115 - Infrastructure Rehabilitation, Mount Vernon District Office (2021-2025) for 2021.

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

BOND ACT	-2021	VOTE

SI 31. 2021-33 BOND ACT-Structure Rehabilitation (BCR56 & B0117)

A BOND ACT authorizing the issuance of TWO MILLION, NINE HUNDRED THOUSAND (\$2,900,000) DOLLARS in bonds of Westchester County to finance Capital Project BCR56 - F-Unit Roof Replacement and B0117 - Infrastructure Rehabilitation, 450 Saw Mill River Road, Ardsley (2021-2025) for 2021.

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

BOND ACT2021 VOTE	
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SI 32. 2021-34 BOND ACT-Design (BCR61, RB04D, RB04E, RB04C, RB03Z, BLR12, BPF40)

A BOND ACT authorizing the issuance of bonds of Westchester County in the total aggregate amount of SIX MILLION, ONE HUNDRED THOUSAND (\$6,100,000) DOLLARS to finance the following seven Capital Projects for 2021: BCR61-Parking Structure Infrastructure Improvements, RB04D-Park Avenue Viaduct Over Bronx River Parkway, Yonkers (BIN 3348850), RB04E-Austin Avenue Bridge Over I-87, Yonkers (BIN 3368150), RB04C-Lincoln Avenue Bridge Over Blind Brook, Rye Brook (BIN 3348490), RB03Z-Pump House Over Peekskill Hollow Brook, Cortlandt (BIN 3348430), BLR12-Labs & Research Facility Rehabilitation and Upgrade and BPF40 Michaelian Office Building Parking Garage Rehabilitation.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AN	ID
PUBLIC WORKS & TRANSPORTATION	

BOND ACT	2021	VOTE _	
SI 33. 2021-118 IMA-Prisoner Transportation-Peekskill			
			ermunicipal Agreement with the City of oner transportation to the Westchester
		MMITTEES ON BU	DGET & APPROPRIATIONS AND
ACT	2021	VOTE	
SI 34 . <u>2021-147</u>	Act - Fixing	g Tax Distribution	ı Tables
AN ACT fixing the Tax Distribution Tables for the County General Fund (for County Operating Purposes and for County share of MTA), for the County Water District No. 1, for the Refuse Disposal District No.1, and for each of the thirteen Sanitary Sewer Districts in the County. Submitted by COMMITTEE ON BUDGET & APPROPRIATIONS			
ACT	2021	VOTE	
SI 35. 2021-148 Act - Fixing & Determining Amounts of County Taxes:			
Purposes and for against the various apportioned amo	County share ous towns and cite out on the country of the pure of the output of the pure o	of MTA); the Speciaties in the County o	eneral Fund taxes (for County Operating al District Taxes; and other charges of Westchester; and levying such orth against such towns and cities.
ACT	2021	VOTE	
IV. SPECIAL ORDERS			
MOTIONS, RESOLUTIONS & CALL OF THE DISTRICTS			

HON. MARGARET A. CUNZIO: Ernest 'Bud' Fischer, Palmerina (Pam) Kammerer, Barbara

Memorial Resolutions: 3-2021

LEGISLATORS BOYKIN AND WILLIAMS: Saul Yanofsky

2021-137

Woltmann, Leonard Mignini

HON. VEDAT GASHI: Fiqrije Gashi

HON. DAMON R. MAHER: John Lelia

HON. MARYJANE SHIMSKY: Marilyn Bender, Sheldon Liftin, Frederick Olsson

HON. DAVID J. TUBIOLO: Jenna Palmer, Kevin Moore, Eugene P. Fasano

HON. ALFREDA WILLIAMS: John A. Jones, Doris (Dori) Toltz Friedman

ADJOURNMENT

Next Board Meeting: February 22, 2021 at 7 p.m.