



Legislation

BOL Meeting Minutes - Published Draft

Committee Chair: Colin Smith

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

Monday, March 6, 2023

1:00 PM

Committee Room

CALL TO ORDER

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.

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

Joint with the Committee on Housing

Present: Committee Chair Smith, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Maher and Legislator Nolan

Absent: Legislator Barr and Legislator Johnson

Remote: Legislator Borgia

MINUTES APPROVAL

February 23, 2023 at 2:30 PM Minutes

I. ITEMS FOR DISCUSSION

[RES-2023-29](#) **RES: Yonkers Planning Board Lead Agency - 345 McLean Avenue**

A RESOLUTION giving notice to the Yonkers Planning Board that the Westchester County Board of Legislators has no objection to the Yonkers Planning Board assuming the role of Lead Agency for the coordinated review of a site plan amendment and other related approvals at Block 59, Lot 75 on the property known as 345 McLean Avenue.

SUBMITTED BY: COMMITTEES ON LEGISLATION AND HOUSING

Joint with the Committee on Housing

Guest: Planning Department - Commissioner Norma Drummond

Chair Smith introduced the item and allowed Legislator Woodson-Samuels and Legislator Tubiolo to briefly speak on the item. Commissioner Drummond noted that this action would occur regardless of whether the BOL passed this resolution, but in order to accommodate the City of Yonkers request to prevent them from missing out on certain tax incentives, it was requested that the BOL pass this in order to move up the timeline.

On motion of Legislator Maher, seconded by Committee Vice-Chair Gashi, the above item

was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

Aye: Committee Chair Smith, Borgia, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Maher and Legislator Nolan

Absent: Legislator Barr and Legislator Johnson

RES-2023-30 PH - Truthful Disclosure by Candidates for Elective Office

A Public Hearing on "A LOCAL LAW amending Chapter 107 and 110 of the Laws of Westchester County to Require Truthful Disclosure by Candidates for Elective Office." [Public Hearing set for March 20, 2023 at 7:30 p.m.]. LOCAL LAW INTRO: 2023-86.

SUBMITTED BY: COMMITTEE ON LEGISLATION

Guests: Department of Law - County Attorney John Nonna, Chief Deputy County Attorney Stacey Dolgin-Kmetz, Deputy County Attorney Justin Adin
Mr. Adin briefly spoke on the legislation, noting that it requires candidates for the Board of Legislators or County Executive to file a publicly accessible candidate disclosure form that provides certain background information, including their name, date of birth, along with education and employment history, among other things. He spoke on how it would work in practice and how the Board of Elections and Ethics would be responsible for different portions of the law. Chair Smith opened the floor for discussion and several members raised concerns with the legislation. The main concerns listed by members were it potentially being overly intrusive, conflicts with first amendment rights, the trigger of when the 30-days window would begin, whether or not the law should also apply to appointees, questions regarding the enforcement of the law, and finally making the language gender neutral. Discussion ensued on the issues and the committee members came to a consensus on changes that needed to be made, but the final vote would be put off. They agreed to changing when the trigger mechanism for the 30 days deadline would be to notification by the Board of Elections to the candidate, requiring appointees to be covered by the law, removal of the date of birth and high school attended and making all of the language gender neutral. The committee discussed but held off on a decision to change the language regarding educational history to reflect course enrollment for the purposes of earning a degree, license, or certification until the next meeting.
This RESOLUTION - Public Hearing was signed by committee and referred to Board of Legislators

Aye: Committee Chair Smith, Borgia, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Maher and Legislator Nolan

Absent: Legislator Barr and Legislator Johnson

LL - Truthful Disclosure by Candidates for Elective Office

A LOCAL LAW amending Chapters 107 and 110 of the Laws of Westchester County to Require Truthful Disclosure by Candidates for Elective Office.

SUBMITTED BY: COMMITTEE ON LEGISLATION

Guests: Department of Law - County Attorney John Nonna, Chief Deputy County Attorney Stacey Dolgin-Kmetz, Deputy County Attorney Justin Adin
For discussion on item 2023-86, please refer to the previous item.

ACT-2023-48 ACT-Amending County's Annual Financial Disclosure Statement

AN ACT relating to financial disclosures.

SUBMITTED BY: COMMITTEE ON LEGISLATION

Guests: Department of Law - County Attorney John Nonna, Chief Deputy County Attorney Stacey Dolgin-Kmetz, Deputy County Attorney Justin Adin; Former County Legislator Kitley Covill

Chair Smith discussed the item briefly to explain the changes being made to the law. Mr. Adin explained the law essentially strengthened the Code of Ethics and made changes to the language used in the law and appendices to provide greater accountability and transparency. Chair Smith asked former Legislator Kitley Covill if she wanted to add anything, to which she declined.

On motion of Legislator Maher, seconded by Legislator Nolan, the above item was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

Aye: Committee Chair Smith, Borgia, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Maher and Legislator Nolan

Absent: Legislator Barr and Legislator Johnson

RES-2023-15 Resolution in Opposition to the Discharge of Contaminated Water into the Hudson River

A RESOLUTION to strongly oppose the plan to release over a million gallons of contaminated water from the Indian Point Nuclear Power Plant site into the Hudson River and support Senator Harckham's and Assemblywoman Levenberg's legislation, S.5181, with regard to prohibiting the discharge of any radiological agent into the waters of the state from nuclear power plants.

SUBMITTED BY: COMMITTEES ON LEGISLATION AND ENVIRONMENT, ENERGY & CLIMATE

Legislator Pierce discussed the importance of the resolution. At Legislator Parker's suggestion, the committee members agreed that the first Whereas clause should specifically name Holtec International as the company decommissioning Indian Point. They also decided that the last Whereas clause should ban the release of radioactive waste into the Hudson River "by Holtec International or any other successor to the decommissioning." Legislator Parker suggested changing the last Resolved clause which lists who should be sent a copy of the resolution. The committee agreed to have it sent "to the Westchester County Federal and State delegations, Federal Nuclear Regulatory Committee, State Nuclear Regulatory Committee, and NYS Department of Environmental Conservation.

On motion of Borgia, seconded by Legislator Nolan, the above item was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

Aye: Committee Chair Smith, Borgia, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Maher and Legislator Nolan

Absent: Legislator Barr and Legislator Johnson

II. OTHER BUSINESS

**III. RECEIVE & FILE
ADJOURNMENT**

DRAFT