



Budget & Appropriations

BOL Meeting Minutes - Final

Committee Chair: Vedat Gashi

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

Monday, September 19, 2022

10:00 AM

Committee Room

CALL TO ORDER

Joint with Public Works & Transportation and Health committees.

Legislator Damon Maher will be participating remotely from 39 Broadway, Suite 1920, New York, NY 10006

Please note: This meeting will be held in person at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 in the McPoland Conference Room # 824 and also remotely via WebEx. Legislators may participate in person or via video conferencing through WebEx. Members of the public are invited to attend the meeting in person at any of its locations or view it online at the Westchester Legislators website:

<https://westchestercountyny.legistar.com/Calendar.aspx> this website also has links to the Agenda Packets containing documents to be discussed at the meeting.

This meeting was held pursuant to Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, which authorize any public body to meet and take such action authorized by law without permitting in public-in-person access to meetings and authorize such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed. To access the meeting, please visit: <https://westchestercountyny.legistar.com>.

With a quorum present, Chair Gashi called the meeting to order at 10:12 a.m.

Others in attendance: BOL: Greg Casciato; Marcello Figueroa, Melanie Montalto (Remote); Committee Coordinators: Jill Axelrod, Dayana Gómez, and Shatika Parker; Budget: Larry Soule, Lorraine Marzola (Remote) DEF: Vincent Kopicki, Nat Federici, Chris Gelardo, and Joe Brown; CE: Joan McDonald; Probation: Rocco Pozzi; Law: Lynne Colavita

Present: Committee Chair Gashi, Legislator Barr, Legislator Parker, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Legislator Pierce and Legislator Smith

Remote: Legislator Maher and Legislator Nolan

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [ACT-2022-129](#) **ACT-2022 Operating Budget Amendment-Woodfield Cottage**

AN ACT authorizing an amendment of the 2022 County Operating Budget in the amount of FIVE MILLION (\$5,000,000) DOLLARS for the Dormitory of the State of New York ("DASNY") project at the site of the Woodfield Cottage Youth Facility.

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

Joint with Public Works & Transportation

Guests: Probation Dept.: Commissioner Rocco Pozzi; Budget Dept: Budget Director Larry Soule; CE's Office: Director of Operations Joan McDonald

Ms. McDonald explained that in 2018, it was decided that there was a need for a new facility in Valhalla because what we have today does not meet the state's legal requirements for housing and programming. The state legislation allows for the Dormitory Authority to finance, design, and construct projects. This will be a new facility, and we believe it makes sense to use the Dormitory Authority because they have the ability to do design/build and the County does not. Doing this will shave 18 months to 2 years off the total project timeline and will save costs. We avoid having designers and contractors arguing over design elements because they are one team. We are in negotiations with the Dormitory Authority to determine what the scope and size of the project will be. The Dormitory Authority will retain a bridge consultant to look at concepts and best practices for facilities of this nature. To start that work, we need to front \$5 million to the Dormitory Authority, so we can get to a point that the work can go to prequalified design teams.

Legislator Shimsky asked if Ms. McDonald sees this as a model for other work we might have to do to satisfy state mandates. Ms. McDonald said it would depend on what the Dormitory Authority is authorized to do, but it's something the can look into.

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

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Legislator Pierce and Legislator Smith

2. [RES-2022-171](#) **RES-Declaring County's Intent to Reimburse Expenditures from County's Operating Funds with Proceeds of DASNY Bonds**

A RESOLUTION declaring the County of Westchester's ("County") intent to make expenditures as set forth herein for the DASNY Project - Woodfield Cottage.

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

Joint with Public Works & Transportation

Guests: Probation Dept.: Commissioner Rocco Pozzi; Budget Dept: Budget Director Larry Soule; CE's Office: Director of Operations Joan McDonald

See discussion of Item #1 above.

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

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Legislator Pierce and Legislator Smith

3. [ACT-2022-132](#) **CBA-SBV95-Pumping Station Rehab Prgm-Bronx Valley SSD**

AN ACT amending the 2022 County Capital Budget Appropriations for Capital Project SBV95 - Pumping Station Rehabilitation Program - Bronx Valley SSD.

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

Joint with Public Works & Transportation committee

Guests: Dept. of Environmental Facilities: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Capital Program Coordinator Joe Brown

Commissioner Kopicki discussed the item. He said this pumping station is larger than most, and that is reflected in the cost of repairs. He noted that the pump station was significantly damaged during Ida, and they will be doing storm hardening work, which also accounts for the increased cost. Legislator Tubiolo asked when the pumping station was built. Commissioner Kopicki said he didn't know, but would find out and let him know.

Legislator Williams Johnson asked if the building was both being raised and adding a second floor to avoid future flooding. Mr. Gelardo said it is just being raised. He said there was a plan to create a second floor butt during the course of designed, it was determined that we could just raise the floor four feet and that would be sufficient to get it over the expected flood elevation. Legislator Williams Johnson said that the Bond Act would need to be corrected to remove the references to building a second floor. Legislator Gashi asked how this should be handled. Lynne Colavita from the Law Department said she was not involved in this, but if the committee deems this to be a material item, she recommends that the Committee Report, Resolution, and Bond Act be amended. Chair Shimsky suggested voting on it as amended, and having everything corrected before the full Board votes on it.

On motion of Legislator Williams Johnson, seconded by Legislator Tubiolo, the above item was adopted as amended. The motion carried by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Legislator Pierce and Legislator Smith

4. [ACT-2022-133](#) **BOND ACT-SBV95-Pumping Station Rehab Prgm-Bronx Valley SSD**

A BOND ACT authorizing the issuance of ELEVEN MILLION, FIVE HUNDRED THOUSAND

(\$11,500,000) DOLLARS in bonds of Westchester County to finance Capital Project SBV95 - Pumping Station Rehabilitation Program - Bronx Valley SSD.

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

Joint with Public Works & Transportation committee

Guests: Dept. of Environmental Facilities: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Capital Program Coordinator Joe Brown

See discussion of Item #3 above.

On motion of Legislator Williams Johnson, seconded by Legislator Tubiolo, the above item was adopted as amended. The motion carried by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Legislator Pierce and Legislator Smith

5. [ACT-2022-134](#) **BOND ACT(Amended)-Ref. SM095, SNR95, SNY95, SPK95**

A BOND ACT (Amended) removing the authorization for design and construction management costs (ACT No. 6-2021) of the rehabilitation of the Jackson Avenue Pumping Station in the Bronx Valley Sanitary Sewer District and that the estimated maximum cost of the aforesaid specific object or purpose is FOUR MILLION, THREE HUNDRED THOUSAND (\$4,300,000) DOLLARS, a decrease of ONE MILLION, FIVE HUNDRED THOUSAND (\$1,500,000) DOLLARS.

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

Joint with Public Works & Transportation committee

Guests: Dept. of Environmental Facilities: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Capital Program Coordinator Joe Brown

See discussion of Item #3 above.

On motion of Legislator Williams Johnson, seconded by Legislator Tubiolo, the above item was adopted as amended. The motion carried by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Legislator Pierce and Legislator Smith

6. [RES-2022-170](#) **PH-WD104-Shaft 22 & Kensico Dam Performance Maintenance**

A Public Hearing on Capital Project WD104 - Shaft 22 & Kensico Dam Performance Maintenance for the benefit of County Water District No. 1. [Public Hearing set for October

17, 2022 at 7:30 p.m.].

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

Joint with Public Works & Transportation committee

Guests: Dept. of Environmental Facilities: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Capital Program Coordinator Joe Brown

Ms. Colavita discussed the item. She said that DEF determined that a new public hearing is required because a calculation contained in the original Public Hearing Notice was incorrect. The "weighted average cost" to the typical property of the District was calculated at \$3.41 and should have been \$3.81. She noted that there were no speakers for the first public hearing, and we don't anticipate there will be any for this one.

Chair Shimsky asked if we know how the mistake was made. Ms. Colavita noted that this is the first time this had happened. She said that DEF had a call with the Finance Department and the State Comptroller's Office, and we are 99% sure that going forward there will not be an error.

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

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Legislator Pierce and Legislator Smith

7. **[ACT-2022-130](#) ACT-WCHCC-Medical Surveillance Program**

AN ACT authorizing the County of Westchester to enter into an agreement with the Westchester County Health Care Corporation for the term commencing January 1, 2022 through December 31, 2026, to provide medical examinations and monitoring services for the employees of the Department of Health's Occupational and Environmental Health Unit who may be exposed to hazardous substances or health hazards.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND HEALTH

Joint with Health committee

Guests: Dept. of Health: Dr. Sherlita Amler, Commissioner

Dr. Amler said this agreement allows the Health Department to provide medical examinations and monitoring to ensure that personnel can wear an N95 mask and pass a fit test. This agreement gives insight to the staff members' abilities to be able to use the proper protective gear as they are consistently exposed to hazardous substances.

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

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Legislator Pierce and Legislator Smith

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Tubiolo, seconded by Committee Vice-Chair Shimsky, the Committee adjourned at 11:09 a.m. by the following vote:

Aye: Committee Chair Gashi, Legislator Barr, Legislator Maher, Legislator Nolan, Legislator Parker, Committee Vice-Chair Shimsky, Legislator Tubiolo, Legislator Williams Johnson and Legislator Woodson-Samuels

Absent: Legislator Pierce and Legislator Smith