



Committee on Appointments

~AGENDA~

Monday, March 18, 2019

1:01 PM

Committee Chair: Christopher Johnson

Committee Room, 148 Martine Avenue, 8th Floor, White Plains, NY 10601

www.westchesterlegislators.com

CALL TO ORDER

Joint with Legislation

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

Guests: Consumer Protection Director James Maisano and Senior Inspector - Plumbing and Electrical Licensing John McGlinchey

1. **(ID # 11318) Resolution – PH-Qualifications of the Board of Plumbing Examiners:**

A RESOLUTION to set a Public Hearing on a "LOCAL LAW amending Section 277.504 of the Laws of Westchester County relating to the qualifications of the Board of Plumbing Examiners." [Public Hearing set for _____, 2018 at _____ .m.] Local Law 11319-2018.

2. **(ID # 11319) Local Law – Qualifications of the Board of Plumbing Examiners:**

A LOCAL LAW amending Section 277.504 of the Laws of Westchester County relating to the qualifications of the Board of Plumbing Examiners.

II. OTHER BUSINESS

Unfinished Business and any other agenda items to come before the Committee.

III. RECEIVE & FILE

ADJOURNMENT



George Latimer
County Executive

October 2, 2018

Westchester County Board of Legislators
800 Michaelian Office Building
148 Martine Avenue, 8th Floor
White Plains, New York 10601

Dear Honorable Members of the Board:

I respectfully request that your Honorable Board adopt “A LOCAL LAW amending Section 277.504 of the Laws of Westchester County relating to the qualifications of the Board of Plumbing Examiners.”

I have been advised that Section 236 of New York State County Law provides Westchester County with the authority to create a Westchester County Board of Plumbing Examiners to assume all licensing duties with respect to the licensure of plumbers and to provide for their duties and responsibilities in accordance with local law. Pursuant to said authority, Westchester County created the Westchester County Board of Plumbing Examiners in 1995 consisting of ten members.

Currently, there are certain requirements and qualifications that were originally determined to be necessary in 1995, which have made the appointment process of qualified individuals to serve on the Board of Plumbing Examiners extremely difficult. In an effort to ease the appointment process while still requiring qualified individuals to serve on the Board of Plumbing Examiners, attached is a proposed local law that, if enacted, would amend the requirements necessary to qualify for appointment. Specifically, the proposed local law would eliminate from the Laws of Westchester County the requirement that an individual must be a Westchester County resident and reduce the number of years from ten to five as an active plumbing code enforcement officials. Notwithstanding, to qualify for an appointment as a plumbing code enforcement official, individuals are still required to possess either a master plumber’s license or a certificate of competency—both of which would require, at a minimum, nine or ten years’ experience as specifically set forth in Section 277.506 of the Laws of Westchester County in addition to the five years as an active plumbing code enforcement official. These proposed amendments comply with New York State County Law which authorized Westchester County to create the Board of

Plumbing Examiners and conforms with New York State Public Officers Law which permits public officers to be appointed if such person resides in the state of New York.

Additionally, and as you know, your Honorable Board must comply with the requirements of the State Environmental Quality Review Act ("SEQRA"). The proposed Local Law does not constitute an action as defined under the SEQRA regulations, 6 NYCRR Part 617.2(b). Therefore, pursuant to SEQRA, no environmental review is required.

Therefore, in light of the aforementioned, I strongly recommend that your Honorable Board adopt the proposed Local Law.

Sincerely,



George Latimer
County Executive

JMN/nn
Enclosure

BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a communication from the County Executive urging the adoption of “A LOCAL LAW amending Section 277.504 of the Laws of Westchester County relating to the qualifications of the Board of Plumbing Examiners.”

Your Committee has been informed that Section 236 of New York State County Law provides Westchester County with the authority to create a Westchester County Board of Plumbing Examiners to assume all licensing duties with respect to the licensure of plumbers and to provide for their duties and responsibilities in accordance with local law. Pursuant to said authority, Westchester County created the Westchester County Board of Plumbing Examiners in 1995 consisting of ten members.

Your Committee notes that there are certain requirements and qualifications that were originally determined to be necessary in 1995, which have made the current appointment process of qualified individuals to serve on the Board of Plumbing Examiners extremely difficult.

Your Committee has reviewed the proposed local law which, if enacted, would amend the requirements necessary to qualify for appointment to the Board of Plumbing Examiners. Specifically, the proposed local law would eliminate from the Laws of Westchester County the requirement that an individual must be a Westchester County resident and reduce the number of years from ten to five for plumbing code enforcement officials. Notwithstanding, to qualify for an appointment as a plumbing code enforcement official, individuals are still required to possess either a master plumber’s license or a certificate of competency—both of which would require, at a minimum, nine or ten years’ experience as specifically set forth in Section 277.506 of the Laws of Westchester County in addition to the five years as an active plumbing code enforcement

official. These proposed amendments comply with New York State County Law which authorized Westchester County to create the Board of Plumbing Examiners and conforms with New York State Public Officers Law which permits public officers to be appointed if such person resides in the state of New York. Your Committee is convinced that this proposed local law would ease the appointment process while still requiring qualified individuals to serve on the Board of Plumbing Examiners.

The Committee notes that this Honorable Board must comply with the requirements of the State Environmental Quality Review Act (“SEQRA”). Your Committee is advised that the proposed Local Law does not constitute an action as defined under the SEQRA regulations, 6 NYCRR Part 617.2(b), and therefore no further environmental review is required. Your Committee concurs with that conclusion.

Your Committee, after careful consideration, recommends the adoption of this proposed Local Law.

Dated: _____, 2018
White Plains, New York

COMMITTEE ON _____

FISCAL IMPACT STATEMENT

SUBJECT: Board of Plumbing Examiners NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

(To be completed by operating department and reviewed by Budget Department)

A) GENERAL FUND AIRPORT SPECIAL REVENUE FUND (Districts)

B) EXPENSES AND REVENUES

Total Current Year Cost \$ _____

Total Current Year Revenue \$ _____

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations Additional Appropriations Other (explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses: Annual Amount \$ 0

Describe: In an effort to ease the appointment process while still requiring qualified individuals to serve on the Board of Plumbing Examiners.

Potential Related Revenues: Annual Amount \$ 0

Describe: _____

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: _____

Next Four years: _____

Prepared by: Carl Maniscalco

Title: Sr. Budget Analyst

Department: Budget

Reviewed By: _____

Budget Director

10/14/18

CM
10-10-18

If you need more space, please attach additional sheets.

Attachment: PH-Qualifications of the Board of Plumbing Examiners-DRAFT (11318 : PH-Qualifications of the Board of Plumbing Examiners)

RESOLUTION NO. ____ - 2018

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. ____ - 2018, entitled "A LOCAL LAW amending Section 277.504 of the Laws of Westchester County relating to the qualifications of the Board of Plumbing Examiners." The public hearing will be held at __.m. on the ____ day of _____, 2018 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. -2018

A LOCAL LAW amending Section 277.504 of the Laws of Westchester County relating to the qualifications of the Board of Plumbing Examiners.

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

Section 1. Subsection A of Section 277.504 of the Laws of Westchester County is hereby amended to read as follows:

Sec. 277.504. - Board of Plumbing Examiners.

A. There shall be a County Board of Plumbing Examiners consisting of ten members, who shall be residents of the state of New York [the county] and who shall be appointed as follows:

1. Three master plumbers who possess Westchester master plumber licenses and ten years' experience as a plumbing contractor in the plumbing business in the County of Westchester and who are recommended to the County Executive by the Plumbers Task Force. Such candidates shall be appointed by the County Executive subject to confirmation by the County Board of Legislators.
2. Two certified journey level plumbers with at least ten years of experience at the journey level in the County of Westchester and who are recommended to the County Executive by the Plumbers Task Force. Such candidates shall be appointed by the County Executive subject to confirmation by the County Board of Legislators.
3. Two plumbing code enforcement officials with at least [ten]five years' experience as an active plumbing code enforcement official employed in Westchester County and each possessing a Westchester County master plumber's license or certificate of competency

who shall be recommended to the County Executive by the Plumbers Task Force. Such candidates shall be appointed by the County Executive subject to confirmation by the County Board of Legislators.

4. One member from county government licensed by the State of New York as a professional engineer who shall be appointed by the County Executive subject to confirmation by the County Board of Legislators.

5. One member at large representing the general public who shall be recommended to the County Executive by the Chairman of the Board of Legislators. Such member shall be appointed by the county executive subject to confirmation by the County Board of Legislators.

6. One member who is employed by a local municipal government department of public works or its equivalent office. Such member shall be recommended to the County Executive by the Chairman of the County Board of Legislators. Such candidate shall be appointed by the County Executive subject to confirmation by the County Board of Legislators.

7. Of the members first appointed, two shall be appointed for terms of two years, and three shall be appointed for a term of three years, and five shall be appointed for a term of five years. Their successors shall be appointed for terms of five years from and after the expiration of the terms of their predecessors in office.

Section 2. This local law shall take effect immediately.