



Board of Legislators

800 Michaelian Office Bldg.

White Plains, NY 10601

Regular Meeting

www.westchesterlegislators.com

~ Agenda ~

Monday, November, 13, 2017

7:00 PM

Legislative Chamber

CALENDAR 24 (CONSENT)

CALL TO ORDER

MINUTES APPROVAL

Monday, October 30, 2017 at 7:00 PM

PUBLIC COMMENT

SPEAKERS _____

PUBLIC HEARING

1. **RES-2017-106** **Resolution – PH-WD305-Co Water Dist. No. 3-Eastview Pumping Station:**

A RESOLUTION setting a Public Hearing to authorize a BOND ACT in the issuance of TWO MILLION, FOUR HUNDRED THOUSAND (\$2,400,000) DOLLARS in bonds of Westchester County to finance a portion of Capital Project WD305-County Water District No. 3 - Eastview Pumping Station [Public Hearing set for November 13, 2017 at 7:30 p.m.].

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND INFRASTRUCTURE

SPEAKERS _____

*Please see Item Nos. 10418 & 10419 for back-up.

2. **RES-2017-110** **Resolution – PH-Cold War Veteran Tax Exemption:**

A "LOCAL LAW" amending Article III of Chapter 473 of the Laws of Westchester County to extend the Real Property Tax Exemption to Cold War Veterans to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to the previous ten year limitation." [Public Hearing set for November 13, 2017 at 7:30 p.m.; LOCAL LAW INTRO No. 10470-2017]

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND LEGISLATION

SPEAKERS _____

*Please see Item No. 10470 for back-up.

UNFINISHED BUSINESS

I. COMMUNICATIONS

A. COUNTY EXECUTIVE

1. **(ID # 10525) Act – Mortgage Tax Receipts - 4-1-17 through 9-30-17:**

An ACT to authorize the Commissioner of the Westchester County Department of Finance to pay Mortgage Tax Receipts to Cities, Towns and Villages.

Committee Referral: COMMITTEE ON BUDGET & APPROPRIATIONS

2. **SI (ID # 10527) Act – Land Acquisition-501 Broadway Buchanan:**

AN ACT authorizing the County of Westchester to purchase approximately 7.34 acres of real property located at 501 Broadway in the Village of Buchanan, Town of Cortlandt and subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, all for the purpose of developing 35 affordable rental apartments for senior households aged 62 years and older that will affirmatively further fair housing ("AFFH") and remain affordable for a period of not less than 50 years.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND LABOR, PARKS, PLANNING & HOUSING

3. **SI (ID # 10528) Act – BOND ACT-BPL30-501 Broadway Buchanan:**

A BOND ACT authorizing the issuance of ONE MILLION THREE HUNDRED SEVENTY-FIVE THOUSAND (\$1,375,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL30 -New Homes Land Acquisition II, 501 Broadway, Buchanan.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND LABOR, PARKS, PLANNING & HOUSING

4. **SI (ID # 10529) Act – BOND ACT-BPL1A-501 Broadway Buchanan:**

A BOND ACT authorizing the issuance of TWO MILLION FOUR HUNDRED THOUSAND (\$2,400,000) DOLLARS in bonds of Westchester County to finance the cost of construction and infrastructure improvements for Capital Project BPL1A: Housing Implementation Fund II, 501 Broadway, Buchanan.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND LABOR, PARKS, PLANNING & HOUSING

5. **SI (ID # 10530) Act – IMDA-Buchanan & Developer-501 Broadway, Buchanan:**

AN ACT authorizing the County of Westchester to enter into an intermunicipal-developer agreement with the Village of Buchanan and Community Housing Innovations, LLC, its successors or assigns (the "Developer") to fund certain infrastructure improvements as well as authorizing the County to grant and accept any property rights necessary in furtherance hereof which will be in support of the development of 35 affordable rental apartments for seniors aged 62 years and older that will be constructed at 501 Broadway in the Village of Buchanan.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND LABOR, PARKS, PLANNING & HOUSING

6. **SI (ID # 10531) Resolution – PH-Lease Agreement with EJM Building Services, LLC:**

A RESOLUTION setting a Public Hearing on a "LOCAL LAW" authorizing the County of Westchester to: 1) consent to the assignment of a lease agreement with EJM Building Services, LLC for Hangar 6 at Westchester County Airport to Textron Aviation, Inc,; and 2) amend the lease. [Public Hearing set for _____, 2017 at _____ .m.; Local Law Intro No. 10532-2017]

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS, INFRASTRUCTURE AND LEGISLATION

7. **SI (ID # 10532) Local Law – Lease Agreement with EJM Building Services, LLC:**

A LOCAL LAW authorizing the County of Westchester to: 1) consent to the assignment of a lease agreement with EJM Building Services, LLC for Hangar 6 at Westchester County Airport to Textron Aviation,; and 2) amend the lease.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS, INFRASTRUCTURE AND LEGISLATION

8. **SI (ID # 10533) Act – Qualified Energy Conservation Bonds:**

An ACT authorizing the County of Westchester to reserve the remaining fifty percent (50%) of the County's allocation of SEVEN MILLION, EIGHT HUNDRED EIGHTY THOUSAND, TWO HUNDRED AND FORTY-TWO (\$7,880,242.00) DOLLARS in Qualified Energy Conservation Bonds ("QECBs") for use by municipalities in Westchester County (exclusive of the City of Yonkers, which received its own allocation of QECBs) that have designated the Energy Improvement Corp. ("EIC") as their instrumentality for the purpose of financing the acquisition, construction and installation of renewable energy systems and energy efficiency improvements and the verification of the installation of such systems and improvements, pursuant to Article 5-L of the New York General Municipal Law; and authorized the County Executive or his designee to receive proposals from such municipalities for projects that would use QECBs to implement "Green Community Program" projects for properties pursuant to section 54D of the Internal Revenue Code until all of the County's QECBs have been sub-allocated; and authorizing the CE or his designee to negotiate with such municipalities and the EIC regarding such projects and the terms of each intermunicipal agreement ("IMA") by which each such sub-allocation would be effected, provided, however, that each such IMA shall be subject to the County Board's future authorization.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND ENERGY & REGIONAL EFFICIENCIES

9. **SI (ID # 10534) Act – Resource Allocation Plan 2017-Youth Services:**

An ACT authorizing the County of Westchester to execute and submit to the State of New York a Resource Allocation Plan which will provide State reimbursement for certain youth services programs and enter into inter-municipal agreements with local municipalities to provide youth services projects that will be eligible for State reimbursement under the Plan.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY & SOCIAL SERVICES

10. **SI (ID # 10535) Act – Tourist Promotion Agency 2018:**

An ACT designating the Westchester County Office of Tourism and Film as the Tourist Promoted Agency for Westchester County for the period from January 1, 2018 through December 31, 2018.

Committee Referral: COMMITTEE ON BUDGET & APPROPRIATIONS

11. **SI (ID # 10536) Resolution – Tourist Promotion Agency 2018:**

A RESOLUTION designating the Westchester County Office of Tourism and Film as the Promotion Agency for Westchester County for the period from January 1, 2018 through December 31, 2018.

Committee Referral: COMMITTEE ON BUDGET & APPROPRIATIONS

12. **SI (ID # 10537) Act – BOND ACT-BPR01-Vehicle Acquisition & Replacement:**

A BOND ACT authorizing the issuance of THREE HUNDRED FIFTY THOUSAND (\$350,000) DOLLARS in bonds of Westchester County to finance Capital Project BPR01 - Vehicle Acquisition and Replacement.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND INFRASTRUCTURE

13. **SI (ID # 10538) Act – BOND ACT-RB148-Columbus Avenue, Mount Pleasant:**

A BOND ACT authorizing the issuance of EIGHT HUNDRED SEVENTY THOUSAND (\$870,000) DOLLARS in bonds of Westchester County to finance Capital Project RB148 - Columbus Avenue.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND INFRASTRUCTURE

14. **SI (ID # 10539) Act – Proposed Appropriations & Tax Levies for 2018 Budget:**

An ACT adopting the County Budget and making appropriations and levying real property taxes for the conduct of the County Government for the year TWO THOUSAND EIGHTEEN.

Committee Referral: COMMITTEE ON BUDGET & APPROPRIATIONS

B. COUNTY ATTORNEY

1. **(ID # 10518) Act – Lawsuit Settlement - Workers Comp Lien J.V.:**

An ACT authorizing the County Attorney to compromise the County of Westchester's right to be reimbursed for health care and wage benefits paid to or on behalf of a County employee, J.V., from settlement of his/her legal action against third-party tortfeasors.

Committee Referral: COMMITTEES ON LITIGATION AND BUDGET & APPROPRIATIONS

2. **(ID # 10519) Act – Lawsuit Settlement - Workers Comp Lien, S.R.:**

An ACT authorizing the County Attorney to compromise the County of Westchester's right to be reimbursed for health care and wage benefits paid to or on behalf of a County employee, S.R., from settlement of his/her legal action against third-party tortfeasors.

Committee Referral: COMMITTEES ON LITIGATION AND BUDGET & APPROPRIATIONS

C. LEGISLATORS

1. **(ID # 10514) Communication – HON. MARYJANE SHIMSKY: Rivertowns Patch Article - "Hudson Valley Bridges Need Repair: NY Comptroller":**

Forwarding an article from *The Rivertowns Patch* entitled, "Hudson Valley Bridges Need Repair: NY Comptroller."

Committee Referral: COMMITTEES ON INFRASTRUCTURE AND BUDGET & APPROPRIATIONS

2. **(ID # 10515) Communication – HON. CATHERINE BORGIA: City&State Article - "NYC Bans Salary History Inquires During the Hiring Process":**

Forwarding a *City & State* article entitled, "NYC Bans Salary History Inquires During the Hiring Process."

Committee Referral: COMMITTEES ON LEGISLATION; LABOR, PARKS, PLANNING & HOUSING; PUBLIC SAFETY & SOCIAL SERVICES AND BUDGET & APPROPRIATIONS

3. **(ID # 10516) Communication – HON. MARYJANE SHIMSKY: Correspondence - "Is 2018 the Year for Design-Build Legislation in New York?":**

Forwarding email correspondence from Carter Ledyard & Millburn LLP entitled, "Is 2018 the Year for Design-Build Legislation in New York?"

Committee Referral: COMMITTEES ON INFRASTRUCTURE, LEGISLATION AND BUDGET & APPROPRIATIONS

4. **(ID # 10520) Communication – HON. MARYJANE SHIMSKY: Rivertowns Patch Article - "O-Rings At Indian Point Still Leaking: NRC":**

Forwarding an article from *The Rivertowns Patch* entitled, "O-Rings At Indian Point Still Leaking: NRC."

Committee Referral: COMMITTEES ON ENVIRONMENT & HEALTH AND ENERGY & REGIONAL EFFICIENCIES

5. **(ID # 10521) Communication – HON. MARYJANE SHIMSKY: Governing Magazine Article - "The City Preparing for Climate Change Without Ever Saying the Words":**

Forwarding an article from *Governing Magazine* entitled, "The City Preparing for Climate Change Without Ever Saying the Words."

Committee Referral: COMMITTEES ON ENVIRONMENT & HEALTH AND ENERGY & REGIONAL EFFICIENCIES

6. **(ID # 10522) Communication – HON. MARYJANE SHIMSKY: FutureStructure Magazine Article - "LA County Metro Investigates Micro-Transit Possibilities":**

Forwarding a *FutureStructure Magazine* article entitled, "LA County Metro Investigates Micro-Transit Possibilities."

Committee Referral: COMMITTEES ON INFRASTRUCTURE AND SENIORS & CONSTITUENCIES

7. **(ID # 10523) Communication – HON. MARYJANE SHIMSKY: Hudson River and Saw Mill River Water Quality Results - 10/26:**

Forwarding correspondence from Ryan Palmer, Sarah Lawrence/Beczak, regarding Hudson River and Saw Mill River Water Quality Reports for 10/26.

Committee Referral: COMMITTEES ON INFRASTRUCTURE, ENVIRONMENT & HEALTH AND ENERGY & REGIONAL EFFICIENCIES

D. OTHERS

II. NOTICES & PETITIONS

1. **(ID # 10517) Communication – HON. MICHAEL B. KAPLOWITZ: Correspondence - Sewer District Removal, 51 Cowdin Circle, Chappaqua:**

Forwarding a Resolution/Petition from the Town of New Castle requesting a removal from the Saw Mill County Sewer District for 51 Cowdin Circle, Chappaqua.

Submitted by the CHAIRMAN OF THE BOARD

2. **(ID # 10524) Communication – HON. GORDON BURROWS: Suspension of Rules:**

A letter serving the Clerk of the Board written notice of his intent to suspend none, one or all of the following rules (9, 10, 14, 18, 22, 25) for the November 13, 2017 Regular Board Meeting.

Submitted by the CLERK OF THE BOARD

3. **(ID # 10526) Communication – Village of Tarrytown Public Hearing:**

Forwarding correspondence regarding a Public Hearing Notice for the Village of Tarrytown, on December 4, 2017, regarding a proposed local law to amend Chapter 305 of the Code of the Village of Tarrytown as to the Zoning District Designation of the Eastview Pump Station.

Submitted by the CLERK OF THE BOARD

III. STANDING COMMITTEES

Appointments, Budget & Appropriations, Energy & Regional Efficiencies, Environment & Health, Infrastructure, Labor/Parks/Planning/Housing, Litigation, Legislation, Public Safety & Social Services, Rules, Seniors & Constituencies

1. **(ID # 10418) Act – WD305-Co Water Dist. No. 3-Eastview Pumping Station:**

An ACT, pursuant to Article 5-A of the New York State County Law, to direct the Commissioner of the Department of Environmental Facilities to proceed with the improvements for County Water District No. 3 (the "District") in substantial accordance with the recommendations set forth in the District Report dated August 22, 2017.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND INFRASTRUCTURE

ACT _____ -2017

VOTE _____

2. **(ID # 10419) Act – BOND ACT-WD305-Co Water Dist. No. 3-Eastview Pumping Station:**

A BOND ACT authorizing the issuance of TWO MILLION, FOUR HUNDRED THOUSAND (\$2,400,000) DOLLARS in bonds of Westchester County to finance a portion of the TWENTY ONE MILLION, SIX HUNDRED THOUSAND (\$21,600,000) DOLLARS estimated maximum cost for Capital Project WD305-County Water District No. 3 - Eastview Pumping Station.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND INFRASTRUCTURE

BOND ACT _____ -2017

VOTE _____

3. **(ID # 10470) Local Law – Cold War Veteran Tax Exemption:**

A "LOCAL LAW amending Article III of Chapter 473 of the Laws of Westchester County to extend the Real Property Tax Exemption to Cold War Veterans to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to the previous ten year limitation."

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND LEGISLATION
LOCAL LAW INTRO No. 10470-2017 VOTE _____

IV. SPECIAL ORDERS

1. SI (ID # 10474) Act – CBA-BLA04-Stuart's Fruit Farm Conservation Easement:

An ACT amending the 2017 Capital Budget to increase the amount authorized for Capital Project BLA04 - Stuart's Fruit Farm Conservation Easement by FOUR HUNDRED THOUSAND (\$400,000) DOLLARS.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, INFRASTRUCTURE AND ENVIRONMENT & HEALTH
ACT _____ -2017 _____

2. SI (ID # 10475) Act – BOND ACT-BLA04-Stuart's Fruit Farm Conservation Easement:

A BOND ACT authorizing the issuance of FOUR HUNDRED THOUSAND (\$400,000) DOLLARS in bonds of Westchester County to finance Capital Project BLA04 - Stuart's Fruit Farm Conservation Easement.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, INFRASTRUCTURE AND ENVIRONMENT & HEALTH
BOND ACT _____ -2017 _____

3. SI (ID # 10476) Act – Stuart's Fruit Farm Conservation Easement:

An ACT to authorize the County to acquire a property interest in the form of two conservation easements, as defined by Article 49, Title 3 of the Environmental Conservation Law of the State of NY, in real property consisting of an Easement on two contiguous parcels of real property and an Easement on another separate parcel totaling approximately 172 acres of farmland known as Stuart's Fruit Farm located at 62 Granite Springs Road, Town of Somers, NY.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, INFRASTRUCTURE AND ENVIRONMENT & HEALTH
ACT _____ -2017 _____

MOTIONS, RESOLUTIONS & CALL OF THE DISTRICTS

(ID # 10513) Memorial Resolution – 18-2017:

HON. CATHERINE BORGIA: Robert H. Sherblom, Edward Brundage, Angela Joan Diasparra-Elber

MARGARET A. CUNZIO: Shannon Blackwell-Lengyel, Edwin P. Heideman, Rose Ann D. Rinaldini, Walter E. Covert, Raymond J. Crocco

HON. DAVID GELFARB: Joshua Weiner

HON. MICHAEL B. KAPLOWITZ: Raymond P. Sirignano, Saverio Salvatore Bentivegna, M.D., FACS

HON. JAMES MAISANO: Omar Ayala, Rolando Oliveros, Grazia Patafio, Raymond T. Hyland, Josephine Robbins, Matthew F. Iarocci, Sophie Louros

HON. MARYJANE SHIMSKY: Mario Orlando, Lillian Hoffman

HON. JOHN TESTA: Alfred J. Coco, Dorothy Allen

HON. DAVID TUBIOLO: Helen Conicelli

LEGISLATORS A. WILLIAMS AND BOYKIN: Pauline C. Oliva

HON. ALFREDA WILLIAMS: Joseph "Joe" Davis, Dena Powell

ADJOURNMENT

On motion of Ms. Borgia, seconded by Mr. Testa, the Board adjourned to meet on November 27, 2017 at 7:00 p.m.

Motion To: Adjourn