



Board of Legislators

800 Michaelian Office Bldg.

White Plains, NY 10601

Regular Meeting

www.westchesterlegislators.com

~ Agenda ~

Monday, March, 12, 2018

7:00 PM

Legislative Chamber

CALENDAR 5 (CONSENT)

CALL TO ORDER

MINUTES APPROVAL

Monday, February 26, 2018 at 7:00 PM

PUBLIC COMMENT

SPEAKERS_____

PUBLIC HEARING

UNFINISHED BUSINESS

I. COMMUNICATIONS

A. COUNTY EXECUTIVE

1. **(ID # 10725) Act – BOND ACT-SY009-Yonkers Joint TP-Odor Control & HVAC:**

A BOND ACT authorizing the issuance of FIVE MILLION (\$5,000,000) DOLLARS in bonds of Westchester County to finance a component of Capital Project SY009 - Yonkers Joint Treatment Plant Odor Control and HVAC Upgrades.

Committee Referral: COMMITTEES ON PUBLIC WORKS AND BUDGET & APPROPRIATIONS

2. **(ID # 10726) Resolution – ENV RES-RPA01-Gen'l Infrastructure-Pathways & Trails:**

A Resolution determining that there will be no significant adverse impact on the environment in connection with Capital Project RPA01-General Infrastructure -Pathways and Trails.

Committee Referral: COMMITTEES ON PARKS, PLANNING & ECONOMIC DEVELOPMENT,
PUBLIC WORKS AND BUDGET & APPROPRIATIONS

3. **(ID # 10727) Act – CBA-RPA01-Gen'l Infrastructure-Pathways & Trails:**

AN ACT amending the 2018 County Capital Budget Appropriations for Capital Project RPA01 - General Infrastructure Pathways and Trails.

Committee Referral: COMMITTEES ON PARKS, PLANNING & ECONOMIC DEVELOPMENT,
PUBLIC WORKS AND BUDGET & APPROPRIATIONS

4. **(ID # 10728) Act – BOND ACT-RPA01-Gen'l Infrastructure-Pathways & Trails:**

A BOND ACT authorizing the issuance of ONE MILLION, EIGHT HUNDRED NINETY THOUSAND, FIVE HUNDRED SIXTY THREE (\$1,890,563) DOLLARS in bonds of Westchester County to finance Capital Project RPA01 - General Infrastructure - Pathways and Trails.

Committee Referral: COMMITTEES ON PARKS, PLANNING & ECONOMIC DEVELOPMENT,
PUBLIC WORKS AND BUDGET & APPROPRIATIONS

5. **(ID # 10729) Act – IMA-RPA01-Gen'l Infrastructure-Pathways & Trails-City of Rye:**

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the City of Rye to enable the County to construct various improvements on City sidewalks and streets in connection with the rehabilitation and extension of the Playland Parkway Pathway between the Rye Metro North train station and Playland Park - Capital Project RPA01.

Committee Referral: COMMITTEES ON PARKS, PLANNING & ECONOMIC DEVELOPMENT,
PUBLIC WORKS AND BUDGET & APPROPRIATIONS

6. **(ID # 10733) Communication – Gift Acceptance-Consolidated Edison Company of New York, Inc.:**

Forwarding correspondence from the County Executive regarding his consent to accept a gift from Consolidated Edison Company of New York, Inc. of a Natural Gas Hazard Awareness Training Prop, to be used by the Westchester County Fire Training Center.

Committee Referral: COMMITTEE ON BUDGET & APPROPRIATIONS

7. **(ID # 10735) Resolution – APPT-Commissioner of Correction-Spano:**

A RESOLUTION appointing Joseph K. Spano as the Westchester County Commissioner of Correction effective March 12, 2018.

Committee Referral: COMMITTEE ON APPOINTMENTS

8. **(ID # 10747) Resolution – PH-SY038-Yonkers Joint Treatment Plant Engine Replacement:**

A RESOLUTION to set a Public Hearing on a BOND ACT (amended) authorizing the issuance of TWENTY ONE MILLION, FOUR HUNDRED FOURTEEN THOUSAND (\$21,414,000) DOLLARS in bonds of Westchester County to finance Capital Project SY038 - Yonkers Joint Treatment Plant Engine Replacement. [Public Hearing set for _____, 2018 at _____.m.]

Committee Referral: COMMITTEES ON PUBLIC WORKS AND BUDGET & APPROPRIATIONS

9. **(ID # 10748) Act – BOND ACT(Amended)-SY038-Yonkers Joint Treatment Plant Engine Replacement:**

A BOND ACT (amended) authorizing the issuance of TWENTY ONE MILLION, FOUR HUNDRED FOURTEEN THOUSAND (\$21,414,000) DOLLARS in bonds of Westchester County to finance Capital Project SY038 - Yonkers Joint Treatment Plant Engine Replacement.

Committee Referral: COMMITTEES ON PUBLIC WORKS AND BUDGET & APPROPRIATIONS

B. COUNTY ATTORNEY

1. **(ID # 10750) Act – Lawsuit Settlement - Sutlana/Hussain v. The County of Westchester:**

An ACT authorizing the County Attorney to settle the lawsuit of Abeda Sultana and Mohammed Hussain on behalf of T.R., an infant under the age of eighteen years of age v. The County of Westchester.

Committee Referral: COMMITTEES ON LAW & MAJOR CONTRACTS AND BUDGET & APPROPRIATIONS

2. **(ID # 10751) Act – Lawsuit Settlement Johnson v. Westchester County et al:**

An ACT authorizing the County Attorney to settle the lawsuit of Gwendolyn Johnson v. Westchester County et al., in the amount of \$285,000.000, inclusive of attorney's fees.

Committee Referral: COMMITTEES ON LAW & MAJOR CONTRACTS AND BUDGET & APPROPRIATIONS

3. **SI (ID # 10753) Act – Lawsuit Settlement - Christian Aguirre, et al. v. County of Westchester, et al.:**

AN ACT authorizing the settlement of the lawsuit titled Christian Aguirre, et al. v. County of Westchester, et al.

Committee Referral: COMMITTEES ON LAW & MAJOR CONTRACTS AND BUDGET & APPROPRIATIONS

C. LEGISLATORS

1. **(ID # 10736) Communication – HON. JOHN G. TESTA: Democratandchronicle.com Article - "Undocumented Immigrant With Shotgun Arrested for Threatening NY High School":**

Forwarding a *Democratandchronicle.com* article entitled, "Undocumented Immigrant With Shotgun Arrested for Threatening to Attack NY High School."

Committee Referral: COMMITTEES ON PUBLIC SAFETY, LEGISLATION AND BUDGET & APPROPRIATIONS

2. **(ID # 10738) Communication – HON. BENJAMIN BOYKIN: NYTimes Article - "The Hidden Taxes on Women":**

Forwarding a *New York Times* article entitled, "The Hidden Taxes on Women."

COMMITTEE ON SOCIAL SERVICES

3. **(ID # 10739) Communication – HON. MARYJANE SHIMSKY: New York Magazine Article - "The Poison We Pick":**

Forwarding a *New York Magazine* article entitled, "The Poison We Pick."

Committee Referral: COMMITTEES ON PUBLIC SAFETY, ENVIRONMENT, HEALTH & ENERGY AND LEGISLATION

4. **(ID # 10740) Communication – HON. MARYJANE SHIMSKY: The Journal News Article - "Opioid death toll grows; takes more time to count the bodies":**

Forwarding a *Journal News* article entitled, "Opioid death toll grows; takes more time to count the bodies."

Committee Referral: COMMITTEES ON PUBLIC SAFETY, ENVIRONMENT, HEALTH & ENERGY AND LEGISLATION

5. **(ID # 10741) Communication – HON. MARYJANE SHIMSKY: Journal News Article - "Runaway barges":**

Forwarding a *Journal News* article entitled, "Runaway barges: six loose on Hudson; two run aground in NJ, one sunk in Yonkers."

Committee Referral: COMMITTEE ON PUBLIC WORKS

6. **(ID # 10742) Communication – HON. MARYJANE SHIMSKY: FutureStructure.com Article - "Austin's Solar-Powered Kiosk Charges Phones, E-Bikes and Cars":**

Forwarding a *FutureStructure.com* article entitled, "Austin's Solar-Powered Kiosk Charges Phones, E-Bikes and Cars."

Committee Referral: COMMITTEES ON PUBLIC WORKS AND ENVIRONMENT, HEALTH & ENERGY

7. **(ID # 10743) Communication – HON. MARYJANE SHIMSKY: Report - "Improving NYC's Design and Construction Processes and Practices":**

Forwarding a report by the Construction Law Committee of the New York Bar Association entitled, "Improving New York City's Design and Construction Processes and Practices."

Committee Referral: COMMITTEES ON PARKS, PLANNING & ECONOMIC DEVELOPMENT AND PUBLIC WORKS

8. **(ID # 10744) Resolution – PH - Bedford Union Cemetery Expansion:**

A RESOLUTION to set a public hearing on an approximately 2 acre property designated on the tax assessment map of the Town of Bedford as Section 73.13, Block 2 Lot 18 located adjacent to the Bedford Union Cemetery situated in the Town of Bedford and to be sold to the Bedford Union Cemetery Association, by Michael and Martha Riley [Public Hearing set for _____, 2018 at ____ .m.]

Committee Referral: COMMITTEES ON PARKS, PLANNING & ECONOMIC DEVELOPMENT AND ENVIRONMENT, HEALTH & ENERGY

9. **(ID # 10745) Resolution – ENV RES - Bedford Union Cemetery Expansion:**

A RESOLUTION determining that there will be no significant adverse impact on the environment from the proposed approximately 2 acre property designated on the tax assessment map of the Town of Bedford as Section 73.13, Block 2 Lot 18 located adjacent to the Bedford Union Cemetery situated in the Town of Bedford and to be sold to the Bedford Union Cemetery Association, by Michael and Martha Riley.

Committee Referral: COMMITTEES ON PARKS, PLANNING & ECONOMIC DEVELOPMENT AND ENVIRONMENT, HEALTH & ENERGY

10. **(ID # 10746) Act – Bedford Union Cemetery Expansion:**

AN ACT to grant consent to the application of the Town of Bedford to set apart property for cemetery purposes an approximately two acre parcel to be annexed to the Bedford Union Cemetery.

Committee Referral: COMMITTEES ON PARKS, PLANNING & ECONOMIC DEVELOPMENT AND ENVIRONMENT, HEALTH & ENERGY

11. **(ID # 10749) Communication – HON. BENJAMIN BOYKIN: Journal News Article - "Rx for Hudson: Expand medication drop-off sites, make manufacturers pay":**

Forwarding a *Journal News* editorial entitled, "Rx for Hudson: Expand medication drop-off sites, make manufacturers pay."

Committee Referral: COMMITTEES ON SOCIAL SERVICES AND ENVIRONMENT, HEALTH & ENERGY

D. OTHERS

II. NOTICES & PETITIONS

1. **SI (ID # 10754) Communication – Consent Judgment - Industrial Overall Services Corp.:**

Forwarding a notice of Consent Judgment regarding Industrial Overall Services Corp., 27 Centre Avenue, New Rochelle, NY.

Submitted by THE CLERK OF THE BOARD (No Committee action needed, for informational purposes only)

III. STANDING COMMITTEES

Appointments, Budget & Appropriations, Environment, Health & Energy, Intergovernmental Services, Labor & Housing, Law & Major Contracts, Legislation, Parks, Planning & Economic Development, Public Safety, Public Works, Rules, Seniors & Constituencies, Social Services

1. **(ID # 10665) Resolution – APPT-Human Rights Commission-Pogue:**

A RESOLUTION appointing Rev. Dr. Stephen Pogue as a member of the Westchester County Human Rights Commission for a term commencing on January 26, 2018 and expiring on December 31, 2019.

Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ -2018 VOTE _____

2. **(ID # 10666) Resolution – APPT-Human Rights Commission-Kathwari:**

A RESOLUTION appointing Farah Kathwari as a member of the Westchester County Human Rights Commission for a term commencing on January 30, 2018 and expiring on December 31, 2020.

Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ -2018 VOTE _____

3. **(ID # 10673) Resolution – APPT-Human Rights Commission-Hyder:**

A RESOLUTION appointing Shahana Hyder as a member of the Westchester County Human Rights Commission for a term commencing on January 31, 2018 and expiring on December 31, 2019.

Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ -2018 VOTE _____

4. **(ID # 10692) Resolution – APPT-Westchester County Industrial Development Agency-McDonald:**

A RESOLUTION appointing Joan M. McDonald as a member of the Westchester County Industrial Development Agency effective February 15, 2018.

Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ -2018

VOTE _____

5. **(ID # 10720) Resolution – APPT-Director of Consumer Protection-Maisano:**

A RESOLUTION appointing James Maisano as the Westchester County Director of Consumer Protection effective February 26, 2018.

Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ -2018

VOTE _____

6. **(ID # 10675) Act – Settlement of Workers Comp Lien (J.B.):**

AN ACT authorizing the County of Westchester to compromise its right to be reimbursed for health care and wage benefits paid to or on behalf of a County employee, from a settlement of his legal action against a third-party tortfeasor.

Submitted by COMMITTEES ON LAW & MAJOR CONTRACTS AND BUDGET & APPROPRIATIONS

ACT _____ -2018

VOTE _____

7. **(ID # 10676) Act – Settlement of Workers Comp Lien (E.R.):**

AN ACT authorizing the County of Westchester to compromise its claim to be reimbursed for health care expenditures and wage benefits paid to or on behalf of a County employee from a settlement of his legal action against a third-party tortfeasor.

Submitted by COMMITTEES ON LAW & MAJOR CONTRACTS AND BUDGET & APPROPRIATIONS

ACT _____ -2018

VOTE _____

8. **(ID # 10678) Act – IMA-RICI System-Municipalities:**

AN ACT authorizing the County of Westchester to enter into intermunicipal agreements with the municipalities located within the County of Westchester, the counties of Putnam, Rockland and Dutchess, and the municipalities located within such counties and municipalities with access to a system called the Westchester County Repository for Integrated Criminalistic Information (RICI System) to allow for the electronic transmission and storage of criminal record and police blotter information.

Submitted by COMMITTEES ON PUBLIC SAFETY, INTERGOVERNMENTAL SERVICES AND BUDGET & APPROPRIATIONS

ACT _____ -2018

VOTE _____

9. **(ID # 10679) Resolution – PH-Sewer District Mod-Removal-Mount Pleasant:**

A RESOLUTION setting a Public Hearing on the proposed modification to the Saw Mill Valley Sanitary Sewer District by the removal of one (1) parcel of property located in the Town of Mt. Pleasant (43 Hardscrabble Hill Road). [Public Hearing set for _____, 2018 at _____ .m.].

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

RESOLUTION _____ -2018

VOTE _____

10. **(ID # 10698) Act – WCHCC-Tuberculosis Related Services:**

AN ACT authorizing the County of Westchester to enter into a tri-party agreement with the Westchester County Health Care Corporation and Westchester Medical Center Advanced Physician Services, P.C. for a term commencing January 1, 2018 and terminating December 31, 2022 pursuant to which the County will refer patients for x-ray services and tuberculosis -related services.

Submitted by COMMITTEES ON ENVIRONMENT, HEALTH & ENERGY AND BUDGET & APPROPRIATIONS

ACT _____ -2018

VOTE _____

11. **(ID # 10722) Act – Agreement to retain law firm for issues concerning energy or utilities:**

AN ACT authorizing the County to retain, at County expense, the law firm of Duncan, Weinberg, Genzer & Pembroke, P.C. for the provision of all legal services and representation, and related technical, consulting, and expert witness services, that are necessary or advisable for any matters or proceedings involving issues concerning energy or utilities, including, but not necessarily limited to, matters involving and proceedings before the New York State Public Service Commission, the New York Independent System Operator, the Federal Energy Regulatory Commission, and the Nuclear Regulatory Commission.

Submitted by COMMITTEES ON LAW & MAJOR CONTRACTS; ENVIRONMENT, HEALTH & ENERGY AND BUDGET & APPROPRIATIONS

ACT _____ -2018

VOTE _____

12. **(ID # 10724) Act – BOND ACT-BPS22-Heavy Equipment:**

A BOND ACT authorizing the issuance of SIXTY THOUSAND (\$60,000) DOLLARS in bonds of Westchester County to finance Capital Project BPS22 - Heavy Equipment.

Please Note: This County Executive referral item was placed directly into committee for consideration.

Submitted by COMMITTEES ON PUBLIC SAFETY, PUBLIC WORKS AND BUDGET & APPROPRIATIONS

BOND ACT _____ -2018

VOTE _____

13. **SI (ID # 10752) Resolution – PH - Wage History Anti-Discrimination:**

A RESOLUTION to set a public hearing on "A LOCAL LAW amending Section 700.03 of the Laws of Westchester County to provide that it shall, in certain circumstances, be an unlawful discriminatory practice to rely upon, request or seek the wage history of a prospective employee." [Public Hearing set for _____, 2018 at _____ .m.] Local Law Intro No. 10624-2018]

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, LABOR & HOUSING AND LEGISLATION

RESOLUTION _____ -2018

VOTE _____

14. **SI (ID # 10755) Resolution – Storm Response Investigation:**

A Resolution calling on the New York State Public Service Commission to investigate Con Edison and New York State Electric & Gas' response to Winter Storm Riley and Winter Storm Quinn.

Submitted by COMMITTEES ON PUBLIC SAFETY, INTERGOVERNMENTAL SERVICES, ENVIRONMENT, HEALTH & ENERGY AND LEGISLATION

RESOLUTION _____ -2018

VOTE _____

IV. SPECIAL ORDERS

1. **(ID # 10625) Act – Immigration Protection Act:**

An ACT regarding the policy of the County of Westchester regarding the treatment of individuals relating to their Citizenship or Immigration Status.

Submitted by COMMITTEES ON PUBLIC SAFETY, LEGISLATION AND BUDGET & APPROPRIATIONS

ACT _____ -2018

VOTE _____

MOTIONS, RESOLUTIONS & CALL OF THE DISTRICTS

(ID # 10737) Memorial Resolution – 4-2018:

HON. BENJAMIN BOYKIN: Leah Mendelsohn

HON. KITLEY S. COVILL: Cathy Gody Wolf, Jean "Foxy" Gwynne, Jane Pearl, Jane Dove, Terry Fleming

HON. MARGARET CUNZIO: Felix "Phil" Carpenito, Frances "Frank" W. Arndt, Kenneth C. Kretzschmar, Carmella Marcellaro, Jane Lehmkuhl, Patricia Giuliano, Matthew A. Spataro, William MacDonald MacAllister, Isabel M. D'Onofrio, Lee Corcoran-Franco

HON. MARYJANE SHIMSKY: Philip Weinstein, Edith DeCecca

HON. JOHN TESTA: Timothy Scott Conkling, Gertrude M. "Gert" Curry, Sharon E. McNally

HON. DAVID TUBIOLO: Ioletta Bucci, Joseph Cordasco, Jr., Frank P. Piturro

HON. A. WILLIAMS: Joan C. Martin, Angela Constantino, Helen Marie Berry, Benjamin Johnathan

ADJOURNMENT

On motion of Ms. Parker, seconded by Mr. Testa, the Board adjourned to meet on March 26, 2018 at 7:00 p.m.

Motion To: Adjourn