



Board of Legislators

800 Michaelian Office Bldg.

White Plains, NY 10601

Regular Meeting

www.westchesterlegislators.com

~ Agenda ~

Monday, May, 6, 2019

7:00 PM

Legislative Chamber

CALENDAR 11 (CONSENT)

CALL TO ORDER

MINUTES APPROVAL

Tuesday, April 23, 2019 at 7:00 PM

PUBLIC COMMENT

SPEAKERS _____

PUBLIC HEARING

UNFINISHED BUSINESS

I. COMMUNICATIONS

A. COUNTY EXECUTIVE

1. **(ID # 11821) Act – BOND ACT-T034A-Maintenance Facility Upgrades II '15-'19:**

A BOND ACT authorizing the issuance of SIXTY FIVE THOUSAND (\$65,000) DOLLARS in bonds of Westchester County to finance Capital Project T034A - Maintenance Facility Upgrades - II.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

2. **(ID # 11825) Act – IMA-Prisoner Transportation-Mount Vernon:**

AN ACT authorizing the County to enter into an Intermunicipal Agreement with the City of Mount Vernon in order to provide reimbursement for prisoner transportation to the Westchester County Jail.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

3. **(ID # 11827) Act – Mortgage Tax Receipts-10-1-18 through 3-31-19:**

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

4. **(ID # 11828) Act – BOND ACT-BIT35-Network Infrastructure Upgrade '15-'19:**

A BOND ACT authorizing the issuance of FIVE HUNDRED THOUSAND (\$500,000) DOLLARS in bonds of Westchester County to finance Capital Project BIT35 - Network Infrastructure Upgrade (2015-2019).

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

5. **(ID # 11829) Resolution – PH-SY038 (Amended)-Yonkers Joint TP Engine Replacement:**

A RESOLUTION to set a Public Hearing on an amended Bond Act authorizing the County of Westchester to issue additional bonds in the amount of TWENTY TWO MILLION (\$22,000,000) DOLLARS to finance Capital Project SY038 - Yonkers Joint Treatment Plant Engine Replacement & Blower Reconditioning. [Public Hearing set for _____, 2019 at _____ .m. LOCAL LAW INTRO 2019-11830].

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

6. **(ID # 11830) Act – BOND ACT (Amended)-SY038-Yonkers Joint TP Engine Replacement:**

A BOND ACT, amended, authorizing the issuance of TWENTY TWO MILLION (\$22,000,000) DOLLARS in bonds of Westchester County to finance Capital Project SY038 - Yonkers Joint Treatment Plant Engine Replacement & Blower Reconditioning.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

7. **(ID # 11835) Resolution – PH-2nd Amendment IMA-Yonkers-BPL32:**

A RESOLUTION to set a Public Hearing on "A LOCAL LAW authorizing the County of Westchester to enter into the Second Amendment to the intermunicipal agreement, as amended, with the City of Yonkers associated with Capital Project BPL32." [Public Hearing set for _____, 2019 at _____ .m. LOCAL LAW INTRO 2019-11836].

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

8. **(ID # 11836) Local Law – 2nd Amendment IMA-Yonkers-BPL32:**

A LOCAL LAW authorizing the County of Westchester to enter into the Second Amendment to the intermunicipal agreement, as amended, with the City of Yonkers associated with Capital Project BPL32.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

9. **(ID # 11837) Act – CBA-BPL32-Yonkers Waterfront Plan-Phase II:**

AN ACT amending the 2019 County Capital Budget Appropriations for Capital Project - BPL32 - Yonkers Waterfront Plan, Phase 11.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

10. **(ID # 11838) Act – BOND ACT-BPL32-Yonkers Waterfront Plan-Phase II:**

A BOND ACT authorizing the issuance of SIX MILLION TWO HUNDRED THOUSAND (\$6,200,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL32 - Yonkers Waterfront Plan, Phase 11.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

11. **SI (ID # 11844) Resolution – ENV RES-RD017-Material Recovery Facility & Transfer Station Rehab.:**

A RESOLUTION determining that there will be no significant adverse impact on the environment in connection with Capital Project RD017 - Material Recovery Facility and Transfer Station Rehabilitation.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

12. **SI (ID # 11845) Act – BOND ACT-RD017-Material Recovery Facility & Transfer Station Rehab.:**

A BOND ACT authorizing the issuance of SEVEN MILLION FIVE HUNDRED THOUSAND (\$7,500,000) DOLLARS in bonds of Westchester County to finance Capital Project RD017 - Material Recovery Facility and Transfer Station Rehabilitation.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

13. **SI (ID # 11846) Act – BOND ACT (Amended)-RD017-Material Recovery Facility & Transfer Station Rehab.:**

A BOND ACT (amended) authorizing the issuance of FOUR MILLION, FIFTY THOUSAND (\$4,050,000) DOLLARS in bonds of Westchester County to finance Capital Project RD017 - Material Recovery Facility and Transfer Station Rehabilitation.

Committee Referral: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

B. COUNTY ATTORNEY

1. **(ID # 11826) Act – Settlement of Workers Comp Lien (M.N.):**

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 her legal action against a third-party tortfeasor.

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

2. **SI (ID # 11842) Act – Enter into Agreement - Board of Ethics:**

AN ACT authorizing the County to enter into an agreement with Steven G. Leventhal to serve as both independent consultant and special counsel to the Westchester County Board of Ethics for a three (3) year term commencing on August 1, 2019 and continuing through July 31, 2022 for an amount not-to-exceed ONE HUNDRED FIFTY THOUSAND (\$150,000) DOLLARS.

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

C. LEGISLATORS

1. **(ID # 11831) Communication – HON. DAMON R. MAHER: Washington Post Article - "There's no evidence hardening schools to make kids safer works":**

Forwarding a *Washington Post* article entitled, "There's no evidence that hardening schools to make kids safer from gun violence actually works."

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

2. **(ID # 11832) Communication – HON. NANCY E. BARR: NYTimes Article - "Big Buildings Hurt the Climate, NYC Hopes to Change That":**

Forwarding a *New York Times* article entitled, "Big Buildings Hurt the Climate, New York City Hopes to Change That."

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

3. **(ID # 11833) Communication – HON. DAMON R. MAHER: Presentation - "What the Data Says - School Resource Officers":**

Forwarding a Power Point Presentation entitled, "What the Data Says - School Resource Officers" as presented by Dr. Alisse Waterston.

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

4. **(ID # 11843) Act – HON. BENJAMIN BOYKIN: IMA - Mt. Vernon Summer Basketball Program:**

AN ACT authorizing the County to enter into an intermunicipal agreement with the City of Mount Vernon pursuant to which the City will provide a summer basketball program for the period July 8, 2019 through August 16, 2019 for a total amount not to exceed TWENTY ONE THOUSAND FIFTEEN (\$21,015) DOLLARS.

Committee Referral: COMMITTEES ON BUDGE & APPROPRIATIONS And SENIORS & CONSTITUENCIES

D. OTHERS

II. NOTICES & PETITIONS

1. **(ID # 11839) Communication – Executive Order #2-Climate Smart Communities Task Force:**

Forwarded from the County Executive, Executive Order No. 2 of 2019 which establishes the Climate Smart Communities Task Force to promote and support climate mitigation and adaptation in the county.

Submitted by the CLERK OF THE BOARD

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 # 11632) Local Law – LL-Restricting the Outdoor Tethering of Dogs:**

A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 681, restricting the outdoor tethering of dogs.

*Please note: This item was tabled to a date certain of the May 6, 2019 Regular Meeting.

Submitted by COMMITTEES ON LEGISLATION AND PUBLIC SAFETY

LOCAL LAW INTRO No. 11632 2019

VOTE _____

2. **(ID # 11223) Resolution – APPT Hispanic Advisory Board - Serratto:**

A RESOLUTION appointing Sergio Serratto as a member of the Westchester County Hispanic Advisory Board for the term July 23, 2018 to December 31, 2019.

Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ -2019

VOTE _____

3. **(ID # 11351) Resolution – APPT-African American Advisory Board-Dautruche:**

A RESOLUTION appointing Maria Smith Dautruche as a member of the Westchester County African American Advisory Board for the term September 18, 2018 to December 31, 2018.

Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ -2019

VOTE _____

4. **(ID # 11801) Resolution – REAPPT-African American Adv Bd-Dautruche:**

A RESOLUTION reappointing Maria Smith Dautruche as a member of the Westchester County African American Advisory Board for the term March 8, 2019 to December 31, 2020.

Submitted by COMMITTEE ON APPOINTMENTS	
RESOLUTION _____ -2019	VOTE _____

5. **(ID # 11465) Resolution – APPT-Labs & Research Board of Managers-Bradbury:**

A RESOLUTION appointing Dr. Margaret Bradbury as a member of the Westchester County Laboratories and Research Board of Managers for the term December 14, 2018 to December 31, 2023.

Submitted by COMMITTEE ON APPOINTMENTS	
RESOLUTION _____ -2019	VOTE _____

6. **(ID # 11466) Resolution – APPT-Parks, Recreation & Conservation Board-Indelicato:**

A RESOLUTION appointing Charlene Indelicato as a member of the Westchester County Parks, Recreation and Conservation Board for the term December 14, 2018 to December 31, 2021.

Submitted by COMMITTEE ON APPOINTMENTS	
RESOLUTION _____ -2019	VOTE _____

7. **(ID # 11545) Resolution – APPT-Hispanic Advisory Board-Trusa:**

A RESOLUTION appointing Maria Trusa as a member of the Westchester County Hispanic Advisory Board for the term January 16, 2019 to December 31, 2020.

Submitted by COMMITTEE ON APPOINTMENTS	
RESOLUTION _____ -2019	VOTE _____

8. **(ID # 11574) Resolution – APPT-Correction Advisory Board-Medina:**

A RESOLUTION appointing Ada Medina as a member of the Westchester County Correction Advisory Board for the term January 18, 2019 to December 31, 2019.

Submitted by COMMITTEE ON APPOINTMENTS	
RESOLUTION _____ -2019	VOTE _____

9. **(ID # 11702) Resolution – APPT-Taxi and Limousine Commission-Eustache:**

A RESOLUTION appointing Leandra Eustache as a member of the Westchester County Taxi and Limousine Commission for the term February 15, 2019 to December 31, 2025.

Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ -2019 VOTE _____

10. **(ID # 11704) Resolution – APPT-Complete Count Committee-Martinez:**

A RESOLUTION appointing Jirandy Martinez as a member of the Westchester County Complete Count Committee for the term March 8, 2019 to March 31, 2021.

Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ -2019 VOTE _____

11. **(ID # 11705) Resolution – APPT-Complete Count Committee-Camacho:**

A RESOLUTION appointing Eridania Camacho as a member of the Westchester County Complete Count Committee for the term February 8, 2019 to March 31, 2021.

Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ -2019 VOTE _____

12. **(ID # 11707) Resolution – APPT-Youth Board-Melén:**

A RESOLUTION appointing Robin Melén as a member of the Westchester County Youth Board for the term February 28, 2019 to December 31, 2021.

Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ -2019 VOTE _____

13. **(ID # 11752) Resolution – APPT-African American Advisory Board-Skipper:**

A RESOLUTION appointing Kisha D. Skipper as a member of the Westchester County African American Advisory Board for the term February 22, 2019 to December 31, 2020.

Submitted by COMMITTEE ON APPOINTMENTS

RESOLUTION _____ -2019 VOTE _____

14. **(ID # 11782) Resolution – PH-Police Board-Increase Membership:**

A RESOLUTION to set a Public Hearing on a "A LOCAL LAW amending Section 273.14 of the Laws of Westchester County relating to the composition of the Police Board" [Public Hearing set for _____, 2019 at ____ .m. LOCAL LAW INTRO 2019-11783].

Submitted by COMMITTEES ON LEGISLATION AND APPOINTMENTS

RESOLUTION _____ -2019 VOTE _____

15. **(ID # 11802) Act – CBA-BCR58-Rehabilitation of Inmate Showers and Floors:**

AN ACT amending the 2019 County Capital Budget Appropriations for Capital Project BCR58 - Rehabilitation of Inmate Showers and Floors.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

ACT _____ -2019 VOTE _____

16. **(ID # 11803) Act – BOND ACT-BCR58-Rehabilitation of Inmate Showers and Floors:**

A BOND ACT authorizing the issuance of THREE MILLION TEN THOUSAND (\$3,010,000) DOLLARS in bonds of Westchester County to finance Capital project BCR58 - Rehabilitation of Inmate Showers and Floors.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

BOND ACT _____ -2019 VOTE _____

17. **(ID # 11806) Act – IMA-Justice Assistance Grant-Yonkers, Mount Vernon, New Rochelle:**

AN ACT to authorize the County of Westchester to enter into a four-year intermunicipal agreement with the Cities of Yonkers, Mount Vernon and New Rochelle for the administration of the Edward Byrne Memorial Justice Assistance Grant for Fiscal Year 2017.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

ACT _____ -2019 VOTE _____

18. **(ID # 11812) Act – Lawsuit Settlement of Robertson v. Liberty Lines:**

AN ACT authorizing the County Attorney to settle the lawsuit of Denise Robertson v. Liberty Lines Transit Inc., et al., in the amount of ONE HUNDRED FIFTY THOUSAND (\$150,000) DOLLARS, inclusive of attorney's fees.

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

ACT _____ -2019

VOTE _____

19. **(ID # 11815) Act – Pepper Hamilton Amendment:**

AN ACT authorizing the designation and continued retention of Pepper Hamilton, LLP, Attorneys at Law, by the County of Westchester relating to the lawsuit entitled Yonkers Contracting Company, Inc. v. The County of Westchester et al.

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

ACT _____ -2019

VOTE _____

20. **(ID # 11824) Act – Amend Agreement with Duncan, Weinberg, Genzer & Pembroke, P.C.:**

AN ACT authorizing the County to amend its agreement with 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, by increasing its authorized not-to-exceed amount by FIVE HUNDRED THOUSAND (\$500,000) DOLLARS.

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

ACT _____ -2019

VOTE _____

21. **SI (ID # 11804) Act – BOND ACT-RGP09-Gen'l Infrastructure Vehicle Acquisition II:**

A BOND ACT authorizing the issuance of SIX HUNDRED THOUSAND (\$600,000) DOLLARS in bonds of Westchester County to finance Capital Project RGP09 - General Infrastructure Vehicle Acquisition II.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

BOND ACT _____ -2019

VOTE _____

22. **SI (ID # 11816) Act – BOND ACT-BIT4C-Employee Productivity Systems '18-'22:**

A BOND ACT authorizing the issuance of ONE MILLION (\$1,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BIT4C - Employee Productivity Systems.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

BOND ACT _____ -2019

VOTE _____

23. **SI (ID # 11817) Act – BOND ACT-BIT6C-Purchase of Computer Equipment '16-'20:**

A BOND ACT authorizing the issuance of ONE MILLION (\$1,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BIT6C - Purchase of Computer Equipment.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

BOND ACT _____ -2019

VOTE _____

24. **SI (ID # 11818) Act – BOND ACT-BIT36 -Business Continuity & Disaster Recovery '16-'20:**

A BOND ACT authorizing the issuance of TWO HUNDRED FIFTY THOUSAND (\$250,000) DOLLARS in bonds of Westchester County to finance Capital Project BIT36 - Business Continuity and Disaster Recovery.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

BOND ACT _____ -2019

VOTE _____

25. **SI (ID # 11819) Act – BOND ACT-BIT43-RICI & CAPS Systems Upgrade:**

A BOND ACT authorizing the issuance of FIVE HUNDRED SIXTY THOUSAND (\$560,000) DOLLARS in bonds of Westchester County to finance Capital Project BIT43 - RICI and CAPS Systems Upgrade.

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

BOND ACT _____ -2019

VOTE _____

26. **SI (ID # 11820) Act – BOND ACT-BIT45-Bldg Access Control & Video Surveillance Systems Upgrade:**

A BOND ACT authorizing the issuance of ONE MILLION (\$1,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BIT45 - Building Access Control & Video Surveillance Systems Upgrade.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS

BOND ACT _____ -2019

VOTE _____

27. **SI (ID # 11841) Resolution – NYS Home Rule Request Resolution - Municipal Directors of Weights and Measures:**

A New York State Home Rule Resolution request for the enactment of Senate Bill No. S05110 and Assembly Bill No. A04074-A entitled, "AN ACT to amend the agriculture and markets law, in relation to municipal directors of weights and measures."

*Please note: This item was placed directly into committee for immediate consideration.

Submitted by COMMITTEE ON LEGISLATION

RESOLUTION _____ -2019

VOTE _____

28. **SI (ID # 11847) Act – HON. BENJAMIN BOYKIN: IMA - Ossining Basics Program:**

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with Ossining Union Free School District ("Ossining") pursuant to which Ossining will provide its Ossining Basics Program for the period from January 1, 2019 through December 31, 2019 for a total amount not to exceed TWO THOUSAND FORTY (\$2,040.00) DOLLARS.

*Please note: This item was placed directly into committee for immediate consideration.

Submitted by COMMITTEE ON BUDGET & APPROPRIATIONS

ACT _____ -2019

VOTE _____

29. **SI (ID # 11614) Resolution – PH-Regulate Use of Expanded Polystyrene Containers:**

A RESOLUTION to set a public hearing entitled "A LOCAL LAW amending Chapter 540 of the Laws of Westchester County by adding Article XXX, regulating the use of expanded polystyrene containers at food service establishments." [The Public Hearing will be held at _____ .m. on the _____ day of _____, 2019; LOCAL LAW INTRO No. 11613-2019.]

Submitted by COMMITTEES ON ENVIRONMENT, HEALTH & ENERGY AND LEGISLATION

RESOLUTION _____ -2019

VOTE _____

MOTIONS, RESOLUTIONS & CALL OF THE DISTRICTS

(ID # 11834) Memorial Resolution – 8-2019:

HON. CATHERINE BORGIA: John Paul Duffy, Robert Roelle

HON. MARGARET A. CUNZIO: Jean Elizabeth Lynch, Albert Joseph Caruso, Kevin G. Roberts, Pasquale (Pat) LaManna, Allen E. Nichols

HON. CHRISTOPHER JOHNSON: Nyran Plummer, Marilyn Montanez, Eemajee Jones

HON. MICHAEL B. KAPLOWITZ: Dominic Francis Narcisco

LEGISLATORS KAPLOWITZ AND COVILL: Jay M. Mosher, Jr.

HON. DAMON R. MAHER: Russell D. Krebs

HON. MARYJANE SHIMSKY: Louis Dos Santos, Edward Mulvey, Herbert Zelman, Robert Citarell

HON. DAVID J. TUBIOLO: Harold Joseph, Sr.

HON. ALFREDA WILLIAMS: Alvera Delores Rolle

HON. LYNDON D. WILLIAMS: Barbara Swain

ADJOURNMENT

On motion of Ms. Parker, seconded by Mr. Testa, the Board adjourned to meet on May 20, 2019 at 7:00 p.m.

Motion To: Adjourn