



Board of Legislators

800 Michaelian Office Bldg.

White Plains, NY 10601

Regular Meeting

www.westchesterlegislators.com

~Minutes~

Monday, December, 4, 2017

10:00 AM

Legislative Chamber

CALENDAR 26 (CONSENT)

CALL TO ORDER

The County Board met pursuant to adjournment.

The Honorable Michael B. Kaplowitz in the Chair.

The Chairman opened the meeting at 10:22AM with the salute to our flag and a prayer.

The roll call resulted as follows:

Attendee Name	Title	Status	Arrived
Catherine Borgia	D9 Legislator (Majority Leader)	Present	
John G. Testa	D1 Legislator (Minority Leader)	Present	
Benjamin Boykin	D5 Legislator	Present	
Gordon A. Burrows	D15 Legislator (Minority Whip)	Present	
Francis Corcoran	D2 Legislator	Present	
Margaret A Cunzio	D3 Legislator	Present	
David B. Gelfarb	D6 Legislator	Present	
Kenneth W. Jenkins	D16 Legislator	Absent	
James Maisano	D11 Legislator (Vice-Chairman of the Board)	Present	
Sheila Marcotte	D10 Legislator	Present	
Catherine Parker	D7 Legislator	Present	
Virginia Perez	D17 Legislator	Absent	
MaryJane Shimsky	D12 Legislator	Present	
David J. Tubiolo	D14 Legislator	Present	
Alfreda Williams	D8 Legislator (Majority Whip)	Present	
Lyndon Williams	D13 Legislator	Present	
Michael Kaplowitz	D4 Legislator (Chairman of the Board)	Present	

MINUTES APPROVAL

On motion of Ms. Borgia, the following minutes were approved:

Monday, November 27, 2017 at 7:00 PM

PUBLIC COMMENT

There were 2 speakers.

PUBLIC HEARING

UNFINISHED BUSINESS

I. COMMUNICATIONS

A. COUNTY EXECUTIVE

1. **(ID # 10570) Act - Agreement-West Co Public Safety PBA-Superior Officer's Unit:**

An ACT approving certain financial terms and conditions of employment requiring legislative approval by law in a collective bargaining agreement for those employees of Westchester County represented by the Westchester County Department of Public Safety PBA, Inc. ("PBA" for the Superior Officer's Unit ("SOU") consisting of Lieutenants and Captains, some of whom are assigned additional duties for which they are compensated as Inspectors or Chief Inspectors) for a five (5) year period commencing on January 1, 2015 and ending on December 31, 2019.

On motion of Ms. Borgia the above item was received, filed and referred to the Committees on Budget & Appropriations; Labor, Parks, Planning & Housing and Public Safety & Social Services.

RESULT:	REFERRED TO COMMITTEE
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2. **(ID # 10571) Act - Agreement-West Co Public Safety PBA:**

An ACT approving certain financial terms and conditions of employment requiring legislative approval by law in a Collective Bargaining Agreement for those employees of Westchester County represented by the Westchester County Department of Public Safety PBA (hereinafter "PBA" for the unit consisting of police officers, detectives and sergeants) for the five (5) year period commencing January 1, 2015 and ending December 31, 2019.

On motion of Ms. Borgia the above item was received, filed and referred to the Committees on Budget & Appropriations, Labor, Parks, Planning & Housing and Public Safety & Social Services.

RESULT: REFERRED TO COMMITTEE

3. **(ID # 10577) Act - IMA-Positive Youth Development Program-Mount Vernon:**

An ACT authorizing the County to enter into an intermunicipal agreement with the City of Mount Vernon pursuant to which the City will provide youth services for the period from April 1, 2017 through March 31, 2018 for an amount not to exceed ONE HUNDRED THIRTY THOUSAND (\$130,000) DOLLARS.

On motion of Ms. Borgia the above item was received, filed and referred to the Committees on Budget & Appropriations and Seniors & Constituencies.

RESULT: REFERRED TO COMMITTEE

4. **(ID # 10579) Resolution - ENV RES-RPA01-Gen'l Infrastructure-Pathways & Trails:**

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

On motion of Ms. Borgia the above item was received, filed and referred to the Committees on Budget & Appropriations and Labor, Parks, Planning & Housing.

RESULT: REFERRED TO COMMITTEE

5. **(ID # 10580) Act - CBA-RPA01-Gen'l Infrastructure-Pathways & Trails:**

An ACT amending the 2017 County Capital Budget Appropriations for Capital Project RPA01 - General Infrastructure - Pathways and Trails.

On motion of Ms. Borgia the above item was received, filed and referred to the Committees on Budget & Appropriations and Labor, Parks, Planning & Housing.

RESULT: REFERRED TO COMMITTEE

6. **(ID # 10581) 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.

On motion of Ms. Borgia the above item was received, filed and referred to the Committees on Budget & Appropriations and Labor, Parks, Planning & Housing.

RESULT: REFERRED TO COMMITTEE

7. **(ID # 10582) 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).

On motion of Ms. Borgia the above item was received, filed and referred to the Committees on Budget & Appropriations and Labor, Parks, Planning & Housing.

RESULT: REFERRED TO COMMITTEE

8. **SI (ID # 10590) 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, whereby the County will provide the 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.

On motion of Ms. Borgia the above item was received, filed and referred to the Committees on Budget & Appropriations; Infrastructure and Public Safety & Social Services.

RESULT: REFERRED TO COMMITTEE

B. COUNTY ATTORNEY**1. SI (ID # 10586) Act - Lawsuit Nolan v. Herrera:**

An ACT authorizing the designation and retention of private counsel pursuant to the Laws of Westchester County §297.31 (2)(b) relating to the lawsuit entitled Nolan, et al v. Herrera, et al, Supreme Court, Westchester County Index No: 2385-17.

On motion of Ms. Borgia the above item was received, filed and referred to the Committees on Budget & Appropriations and Litigation.

RESULT: REFERRED TO COMMITTEE

C. LEGISLATORS**1. (ID # 10578) Communication - HON. MARGARET CUNZIO: Correspondence re: WestHELP affordable housing initiative:**

Forwarding correspondence from Paul Feiner, Town of Greenburgh Town Supervisor, regarding WestHELP affordable housing initiative.

On motion of Ms. Borgia the above item was received, filed and referred to the Committees on Budget & Appropriations and Public Safety & Social Services.

RESULT: REFERRED TO COMMITTEE

2. (ID # 10583) Communication - HON. CATHERINE BORGIA: CNN Money U.S. Article - "Why asking about salary history can hurt women's careers":

Forwarding an article from *CNN Money U.S.* entitled, "Why asking about salary history can hurt women's careers."

On motion of Ms. Borgia the above item was received, filed and referred to the Committees on Budget & Appropriations, Legislation, Public Safety & Social Services and Labor, Parks, Planning & Housing.

RESULT: REFERRED TO COMMITTEE

D. OTHERS

II. NOTICES & PETITIONS

1. **(ID # 10584) Communication - HON. JOHN TESTA: Suspension of Rules:**

Letter serving the Clerk of the Board written notice of his intent to suspend one, none or all of the following Rules of the Board (9,10,14,18,22,25) for the December 4, 2017 Regular Board Meeting.

RESULT: RECEIVED AND FILED
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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. **SI (ID # 10576) Resolution - Albanian-American Heritage Month:**

A Resolution of Westchester County entitled creating the month of November (annually) as Albanian-American Heritage Month

Submitted by COMMITTEE ON SENIORS & CONSTITUENCIES.

A recess was called by the Chairman at 10:37 AM after the item was introduced; the meeting reconvened at 10:40 AM.

On motion of Mr. Tubiolo, this item was recommitted.

RESULT: RECOMMITTED

2. **SI RES-2017-115 Resolution - PH-Sewer District Mod-Removal-New Castle:**

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, 51 Cowdin Circle, Chappaqua (Town of New Castle). [Public Hearing set for December 11, at 10:30 a.m.].

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, ENVIRONMENT & HEALTH AND INFRASTRUCTURE.

Ms. Marcotte, Mr. Corcoran and Ms. Shimsky presented the Resolution and moved its adoption, which motion was carried by the following vote.

The original Public Hearing time was set for 10:05am but in consideration of the Boards regular order of business, a motion was made by Ms. Marcotte to change the time to 10:30am (seconded by Ms. Shimsky); the motion passed 15-0.

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Catherine Borgia, John G. Testa, Benjamin Boykin, Gordon A. Burrows, Francis Corcoran, Margaret A Cunzio, David B. Gelfarb, James Maisano, Sheila Marcotte, Catherine Parker, MaryJane Shimsky, David J. Tubiolo, Alfreda Williams, Lyndon Williams, Michael Kaplowitz
ABSENT:	Kenneth W. Jenkins, Virginia Perez

MOTIONS, RESOLUTIONS & CALL OF THE DISTRICTS

3. **M-RES-2017-20** Memorial Resolution - 20 - 2017:

LEGISLATORS BURROWS, TUBIOLO, JENKINS AND PEREZ: Jonathan Michael Maldonado

HON. MARGARET A. CUNZIO: Mary Dolores Kehrl

HON. DAVID GELFARB AND ALL LEGISLATORS: Raphael "Bob" Amelio

HON. MICHAEL B. KAPLOWITZ: Edward Serocki, Mark H. Shaiken

HON. JOHN TESTA: Yolanda Mastrianna

HON. ALFREDA WILLIAMS: Robert A. Fitzgerald, Steven Shroba, Sister Madeline Desel

HON. LYNDON WILLIAMS: John Grimes

HON. LYNDON WILLIAMS AND ALL LEGISLATORS: Lowell Hawthorne

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Catherine Borgia, John G. Testa, Benjamin Boykin, Gordon A. Burrows, Francis Corcoran, Margaret A Cunzio, David B. Gelfarb, James Maisano, Sheila Marcotte, Catherine Parker, MaryJane Shimsky, David J. Tubiolo, Alfreda Williams, Lyndon Williams, Michael Kaplowitz
ABSENT:	Kenneth W. Jenkins, Virginia Perez

ADJOURNMENT

On motion of Ms. Borgia, seconded by Mr. Testa, the Board adjourned at 10:49 AM to meet on December 11, 2017 at 10:00 AM.

Motion To: Adjourn