



Committee on Budget & Appropriations

~MINUTES~

Monday, February 11, 2019

10:00 AM

Committee Chair: Catherine Borgia

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

www.westchesterlegislators.com

CALL TO ORDER

Meeting jointly with the Committee on Public Works.

With a quorum present, D10 Legislator Damon Maher called the meeting to order at 10:12 AM.

Attendee Name	Title	Status	Arrived
Catherine Borgia	Chair	Present	
Nancy Barr	D6 Legislator	Present	
Margaret A Cunzio	D3 Legislator	Present	
Damon Maher	D10 Legislator	Present	
Catherine Parker	D7 Legislator (Majority Leader)	Present	
John G. Testa	D1 Legislator (Minority Leader)	Absent	
David J. Tubiolo	D14 Legislator	Present	
Alfreda Williams	D8 Legislator (Vice Chair)	Present	
Benjamin Boykin	D5 Legislator (Chairman)	Present	

Others In Attendance: BOL: Kitley Covill, Mary Jane Shimsky (remote), Christopher Johnson, Ellen Hendrickx, Alessandra Restiano, Javon Boxhill Greg Casciato, Dennis Power, Chris Crane, Melanie Montalto, Caleb Hersh DEF: Vincent Kopicki, Robert Funicello, Marian Pompa DOIT: Marguerite Beirne DA: Pat D'Imperio, Jason Carrow BOE: Doug Colety, Reginald LaFayette Guests: Allegra Dengler, Julie Weiner, Gio Constantiello, Barbara Noach, Nicola Coddington

MINUTES APPROVAL

1. Wednesday, January 23, 2019 at 10:30 AM

On motion of Legislator Cunzio seconded by Legislator Barr the minutes were approved 5-0.

2. Wednesday, January 23, 2019 at 1:01 PM

On motion of Legislator Cunzio seconded by Legislator Barr the minutes were approved 5-0.

I. ITEMS FOR DISCUSSION

1. **(ID # 11474) Act – ACT-West Basin Easement and Replacement Parkland:**

AN ACT authorizing the County of Westchester to convey approximately 630.50 square feet or 0.014 acres of land to the Village of Mamaroneck as replacement parkland and in exchange accept a permanent easement over approximately 630.50 square feet of 0.014 acres of land in Harbor Island Park for the purpose of constructing, reconstructing, operating and maintaining a sanitary sewage pumping station, pipelines and outfall, and, specifically, above-ground appurtenances associated thereto upon such lands.

Budget Only.

Guest: Commissioner Kopicki, Department of Environmental Facilities

Commissioner Kopicki, Robert Funicello and Marian Pomopa from the Department of Environmental Facilities came before the Committee to discuss item # 11474- Act West Basin Easement and Replacement Parkland. This is an Act that would authorize the County of Westchester to 1) Convey by bargain and sale deed without covenants against the Grantor's acts, approximately 630.50 square feet or 0.014 acres of land designated as Section 9, Block 919 and Part of Lot 1 on the Tax Assessment Map of the town of Mamaroneck, for the purpose of constructing, reconstructing, operating and maintaining certain above-ground appurtenances in the Park for the sanitary sewage pumping station, pipelines and outfall, otherwise known as the West Basin Pumping Station. The original Home Rule Resolution adopted by the Board on June 19, 2017 for this authorization had to be changed due to the fact that the County was unaware that the NYS Department of Transportation had used a piece of the originally designated property to erect a light pole. Therefore, another home rule resolution with the corrected property description was submitted and approved by the Board, on June 4, 2018 (Home Rule Resolution No. 84-2018.) The NYS Legislature subsequently adopted the corrected legislation on December 7, 2018. This Act authorizes the County to convey the replacement parkland to the Village for the purposes of construction. The DEF has been upgrading and retrofitting pumping stations for better performance and protection since Superstorm Sandy, in accordance with the Westchester County Multi-Jurisdictional Hazard Mitigation Plan. County owned property on the left side of the entrance drive to the park is being swapped for land adjacent to the pump station on the right side of the entrance driveway. As the original parcel complied with SEQRA and the Short Environmental Assessment Form that was prepared resulted in a Negative Declaration issued by the Board of Legislators on June 19, 2017, it was determined that the revised property in the same area and equivalent in size to the original proposed property, still complied and no further environmental review is required. With a motion by Legislator Barr and seconded by Legislator Cunzio the item was approved with a vote of 5-0.

RESULT:	SIGNED BY COMMITTEE
----------------	----------------------------

2. **(ID # 11475) Resolution – PH-Sewer District Modification-Add-Yorktown:**

A RESOLUTION to set a Public Hearing on an Act to modify the Peekskill Sanitary Sewer District by the addition of one (1) parcel of property located at 1805 Jacob Road, Yorktown. [Public Hearing set for _____, 2019 at _____ .m.].

Joint with PW

Guest: Commissioner Kopicki, Department of Environmental Facilities

Please refer to item # 2. With a motion by Legislator Tubiolo and seconded by Legislator Parker the item was approved with a vote of 6-0.

RESULT: SIGNED BY COMMITTEE**3. (ID # 11476) Act – Sewer District Modification-Add-Yorktown:**

AN ACT to modify the Peekskill Sanitary Sewer District by the addition of one (1) parcel of property located at 1805 Jacob Road, Yorktown.

Joint with PW

Guest: Commissioner Kopicki, Department of Environmental Facilities

Commissioner Kopicki, Robert Funicello and Marian Pomopa from the Department of Environmental Facilities came before the Committee to discuss item #11475/11476- Sewer District Modification - Add Yorktown. The Department has been notified that the Town of Yorktown has requested to modify the Peekskill Sewer District by adding one parcel of property (1805 Jacob Road). This property is currently not in any County Sewer District. The parcel will be subdivided into 6 single family parcels. The addition represents a .0069% increase to the Equalized Full Value of the District and it will not have an impact on the tax rate to the District. No impact on the flow. They will be required to pay a surcharge of \$24,700 that will be divided into 10 annual installment (\$2470). It will be collected from the property and credited to the other parcels in the District. This is a approximately 50 acres, 5 of the lots are 1 acre and 1 lot is approximately 40 acres. It is a very steep property, so any development would be up towards the front of the property. The 6th parcel has a farm on the property. Legislator Maher asked if the if the 6th parcel could be used as commercial property? Legislator Covill stated that there is push back by sending additional flow to Peekskill. The Wetlands which is the surrounding land, is not in the sewer District and would have to be added. Legislator Covill asked if we let this parcel in why not others? Legislator Maher explained that this was review by the Public Works Committee and each addition would have to be looked at individual case. Mr. Pompa explained that the Town/ Developers will assume all the costs not the District. With a motion by Legislator Tubiolo and seconded by Legislator Parker the item was approved with a vote of 6-0.

RESULT: SIGNED BY COMMITTEE**4. (ID # 11512) Act – BOND ACT-BDA01-Information Technology-DA:**

A BOND ACT authorizing the issuance of FOUR HUNDRED SEVEN THOUSAND (\$407,000) DOLLARS in bonds of Westchester County to finance Capital Project BDA01 - Information Technology.

Joint with PW.

Guest: Pat D'Imperio, District Attorney's Office

Pat D' Imperio, Jason Carrow from the District Attorney's Office and Marguerite Beirne , CIO came before the committee to discuss item 11512- Bond Act BDA01- Information Technology - DA. This is an Act in the amount of \$407,000 to finance capital project that will fund upgrades to the technology equipment, software and systems for the District Attorney's Office at various locations. This is the fifth and final phase of this \$2.2 million project that will allow the DA's Office to continue it program to modernize, consolidate and streamline the IT infrastructure to more efficiently deliver services which are critical to support the needs of the office located throughout the County. It also allows the Office to prepare for disaster recovery should we be subject to a catastrophic event. The project will include upgrades of the infrastructure wiring, security systems, off shelf and propriety software applications, servers and storage equipment, networking equipment, desktop systems, peripheral and hand-held devices and installation. The goal is to make the process

easier for Assistant District Attorneys while in court. To streamline the information make everything easily available on computers eliminating less paper and freeing up space in the records center. The goal is to minimize the amount of paper and scanning records. With a motion by Legislator Parker and seconded by Legislator Tubiolo the item was approved with a vote of 6-0.

RESULT: SIGNED BY COMMITTEE

5. (ID # 11003) Act – BOND ACT-BEL01-Purchase of Voting Machines:

A BOND ACT authorizing the issuance of SIX MILLION ONE HUNDRED FORTY-SIX THOUSAND (\$6,146,000) DOLLARS in bonds of Westchester County to finance Capital Project BEL01 - Purchase of Voting Machines.

Joint with PW

Guests: Commissioner Lafayette and Commissioner Colety, Representative from Dominion Voting

Board of Elections Commissioner Lafayette and Commissioner Colety joined Gio Constantiello from Dominion voting to discuss and demonstrate the proposed Image Cast Voting Machines. The Board of Elections would like to purchase 420 new voting machines (Plan B) to replace the older ADA compliant machine. This Bond Act in the Amount of \$6,146,000 will finance the purchase. The machines were certified by NYS Board of Elections last October (2018). Commissioner Lafayette discussed briefly the changes in the Election Calendar and the impact of the newly adopted early voting in New York State. Commissioner Colety explained that these machines will be able to handle the early voting and accommodate ADA requirements. The machines will serve as both Plan A and B machines for all early voting. Presently there are 361 polling places that must have a plan B machine according to NYS law. The BOE will replace all of them with new.

Gio Constantiello, Regional Sales Manager for Dominion gave a demonstration of the machine and discussed the features specific to the machine. He noted that the new machine is 50% faster and is equipped to be used by people with disabilities and can be used in the same manner as the "A" machine, for people without. The machines carry a 5 year all-inclusive warranty. After 5 years, the annual cost for the warranty extension is \$450 per machine per year and will include software upgrades. They should last from 10 - 15 years and maintenance over the machines' lifetime will cost approximately 25% less than that of the current machines. The Commissioners discussed why these machine will be necessary to accommodate the new changes in the election laws and calendars. The Commissioners discussed that originally they requested 420 machines (one for each polling place and back up machines for breakdowns and in the event that there have been machines impounded due to problems in an earlier election) but since the new law will go into effect for the next election, they would be requiring 30 additional machines to bring the total required to 450 machines. The cost of the machines are approximately \$15,000 per machine plus shipping, additionally after 5 years there will be a cost of the warranty and maintenance. NYS law requires an ADA machine to be at every polling place, the current machines have reached the end of their useful life. Up to half of the machine have some kind of breakdown issue. The current service contract has expired on the machines the County currently owns. Discussion was held regarding a student union of disabled students at Purchase College in which they stated that they were not aware that a plan "B" machine existed. Commissioners Lafayette and Colety stated that they'd provided a training with the union, *Disability on the Move* and were surprised that the students had not been advised and that there should be a better way of informing those with disabilities on options available. Discussion was held on the process and the changes that have been made since the passage of the Election Reform Bills. The Board of Legislators' Voter Reform Working Group has been established to tackle

those issues. The legislation before the Committee is for the purchase of new voting machines. No action was taken at this time.

RESULT: POSTPONED

II. OTHER BUSINESS

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

III. RECEIVE & FILE

1. **(ID # 11092) Communication – HON. MARGARET A. CUNZIO: Correspondence re: the impact of airport noise:**

Forwarding correspondence from Roland Reisley of the Usonia National Register Historic District regarding the impact of airport noise.

With a motion by Legislator Cunzio and seconded by Legislator Barr the item below was received & filed with a vote of 5-0.

RESULT: RECEIVED AND FILED

2. **(ID # 11102) Communication – HON. MICHAEL B. KAPLOWITZ: Correspondence - Town of New Castle re: Westchester County Airport concerns:**

Forwarding correspondence from the Town of New Castle regarding concerns with the Westchester County Airport.

With a motion by Legislator Cunzio and seconded by Legislator Barr the item below was received & filed with a vote of 5-0.

RESULT: RECEIVED AND FILED

3. **(ID # 11295) Communication – HON. CATHERINE BORGIA: Report - 2018 NYSAC Fall Seminar Resolutions:**

Forwarding the New York State Association of Counties Report entitled, "2018 NYSAC Fall Seminar Resolutions."

With a motion by Legislator Cunzio and seconded by Legislator Barr the item below was received & filed with a vote of 5-0.

RESULT: RECEIVED AND FILED

4. **(ID # 11457) Communication – HON. DAMON R. MAHER: Daily Freeman Article - "Ulster County's New Family Court called 'a model' that others could follow":**

Forwarding a *Daily Freeman* article entitled, "Ulster County's new Family Court called 'a model' that others in NY could follow."

With a motion by Legislator Cunzio and seconded by Legislator Barr the item below was received & filed with a vote of 5-0.

RESULT: RECEIVED AND FILED

5. **(ID # 11472) Communication – HON. DAMON R. MAHER: Various articles on Advancing Equitable Early Childhood Systems in Local Communities:**

Forwarding various articles on Advancing Equitable Early Childhood Systems in Local Communities.

With a motion by Legislator Cunzio and seconded by Legislator Barr the item below was received & filed with a vote of 5-0.

RESULT: RECEIVED AND FILED

6. **(ID # 11460) Communication – HON. CATHERINE F. PARKER: Citylab.com Article - "Why Communities Across America Are Pushing to Close Waste Incinerators":**

Forwarding a *Citylab.com* article entitled, "Why Communities Across America Are Pushing to Close Waste Incinerators."

With a motion by Legislator Cunzio and seconded by Legislator Barr the item below was received & filed with a vote of 5-0.

RESULT: RECEIVED AND FILED

7. **(ID # 11485) Communication – HON. MARYJANE SHIMSKY: Law360.com Article - "Legal Aid Funder Faces Existential Crisis Under Trump":**

Forwarding a *Law360.com* article entitled, ""Legal Aid Funder Faces Existential Crisis Under Trump."

With a motion by Legislator Cunzio and seconded by Legislator Barr the item below was received & filed with a vote of 5-0.

RESULT: RECEIVED AND FILED

8. **(ID # 11491) Communication – LEGISLATORS MAHER AND BARR: New York Times Article - "How a Crackdown on MS-13 Caught Up Innocent HS Students":**

Forwarding a New York Times article entitled, "How a Crackdown on MS-13 Caught Up Innocent High School Students"

With a motion by Legislator Cunzio and seconded by Legislator Barr the item below was received & filed with a vote of 5-0.

RESULT: RECEIVED AND FILED

9. **(ID # 11532) Communication – LEGISLATORS BURROWS, SHIMSKY, MAHER, BOYKIN, L. WILLIAMS, A. WILLIAMS, BARR, JOHNSON, COVILL, CLEMENTS, BORGIA, PARKER, PEREZ, TUBIOLO AND CUNZIO: Journal News Article - Con Ed issues natural gas moratorium in Westchester:**

Forwarding a *Journal News* Article entitled, "Con Edison issues natural gas moratorium in Westchester, spurs fears of development halt."

With a motion by Legislator Cunzio and seconded by Legislator Barr the item below was received & filed with a vote of 5-0.

RESULT: RECEIVED AND FILED

10. **(ID # 11553)** **Communication – LEGISLATORS SHIMSKY, BARR, COVILL AND PEREZ: Newsday Article - "Suffolk voters head to the polls to decide on \$390 million in sewer projects":**

Forwarding a *Newsday* article entitled, "Suffolk voters head to the polls to decide on \$390 million in sewer projects."

With a motion by Legislator Cunzio and seconded by Legislator Barr the item below was received & filed with a vote of 5-0.

RESULT: RECEIVED AND FILED

11. **(ID # 11556)** **Communication – LEGISLATORS SHIMSKY, MAHER, BOYKIN, L. WILLIAMS, A. WILLIAMS, BARR, JOHNSON, COVILL, CLEMENTS, BORGIA, PARKER AND PEREZ : Dailykos.com Article - "States that spend more money on libraries, parks and highways have happier":**

Forwarding a *Dailykos.com* article entitled, "States that spend more money on libraries, parks and highways have happier Americans, study says."

With a motion by Legislator Cunzio and seconded by Legislator Barr the item below was received & filed with a vote of 5-0.

RESULT: RECEIVED AND FILED

ADJOURNMENT

Moved by Legislator Cunzio seconded by Legislator A. Williams the Committee adjourned at 12:35 PM.