



Committee on Public Works

~MINUTES~

Monday, June 3, 2019

9:36 AM

Committee Chair: MaryJane Shimsky

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

www.westchesterlegislators.com

CALL TO ORDER

Meeting jointly with the Committees on Budget & Appropriations, Law & Major Contracts, Environment Health & Energy and Seniors & Constituencies

Attendee Name	Title	Status	Arrived
MaryJane Shimsky	Chair	Present	
Nancy Barr	D6 Legislator	Present	
Kitley Covill	D2 Legislator	Present	
Catherine Parker	D7 Legislator (Majority Leader)	Present	
David J. Tubiolo	D14 Legislator	Present	
Benjamin Boykin	D5 Legislator (Chairman)	Present	

Others In Attendance: BOL: Legislators Catherine Borgia, Margaret Cunzio, Damon Maher, Alfreda Williams, Gordon Burrows, Michael Kaplowitz, Lyndon Williams and Christopher Johnson; Greg Casciato, Jaevon Boxhill, Melanie Montalto, Beth LoBello, Jill Axelrod, Ellen Hendrickx, Debby Linhardt, Chris Crane, Alessandra Restiano, Malcolm Clark, Dennis Power LAW: John Nonna, Melissa Rotini CE: Susan Spear PUBLIC SAFETY: John Hodges, Michael Cindrich CORRECTIONS: James Birrittella, Karl Volmer DEF: Louis Vetrone DPW/T: Bud Nicoletti HEALTH: Sharita Amler, Peter DeLucia, Renee Recchia, Kevin Smith, Barbara Simone, Steven Eschweiler PLANNING: Anthony Zaino, David Kvinge, William Brady INTERNS: Freya Varga, Cynphine Hsu, Iman Syed GUESTS: Ellen Weininger

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. **ACT-2019-111 Act – Consent Order re: Westchester County Airport:**

An ACT authorizing the County, by and through the Commissioner of the Department of Public Works and Transportation or his designee, to enter into a Consent Order in connection with alleged violations of the New York Environmental Conservation Law, and New York State Department of Environmental Conservation regulations at the Westchester County Airport and to apply to the Brownfield Cleanup Program.

Joint with B&A, LMC & EHE

Guests: County Attorney John Nonna and Melissa Rotini, Senior Assistant County Attorney, and Susan Spear, Assistant to the County Executive

Placed directly into committee.

Joint with LMC, EHE & B&A

County Attorney John Nonna, Senior Assistant County Melissa Rotini and Susan Spear came before the Committee to discuss item # 11904-Act- Consent Order, re: Westchester County Airport. This Act will authorize the County Attorney through the Department of Public Works, to settle administrative claims of the New York State Department of Environmental Conservation (NYSDEC) concerning alleged violations of the New York Environmental Conservation Law, and the DEC regulations at the Westchester County Airport. It will authorize applications for inclusion of the Facility in the DEC's Brownfield Cleanup Program. The DEC claims violation of general water quality standards related to alleged contamination at the site. As a result of negotiations with the DEC, an agreement was reached that set a penalty of \$37,500 with \$10,000 only, due upon execution of the Consent Order; \$27,500 was suspended on the condition that the County adheres to terms and conditions of the Consent Order. The Consent Order requires the County develop a work plan to conduct Site Characterization to fill in data gaps surrounding groundwater and soil testing for contaminants including but not limited to PFAS. The County has already engaged in a comprehensive study of the PFAS contamination of the Airport, but must be monitored by the DEC. In the event that the levels exceed the DEC's regulated limits or in the event the NYS Department of Health deems the levels appropriate - the extent is yet to be determined by the NYSDH, as it has not yet been ruled on by NYS, the County will engage in development of Interim Remedial Measures to protect the public drinking water contamination. The Consent Order also requires the County apply to the DEC's Brownfield Cleanup Program to remediate any contamination. The costs for the work thus far have been paid by US Air Force funds as the contamination is from foam developed and used by both the Air Force and the Air National Guard, both of which trained firefighters on the airport site which led to contamination. The County has removed over 800 tons of contaminated soil. It has been transparent and has met with Sierra Club, FCWC and others. The County negotiated a "carve-out" so that it does not have to indemnify New York State. Our Congressional Delegation is fighting for Westchester though it is not a priority because there are far worse sites. The NYCDEP has tested the reservoir and has found no credible effect on the water.. With a motion by Legislator Covill and seconded by Legislator Boykin, the item was approved with a vote of 6-0.

RESULT:	SIGNED BY COMMITTEE
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2. RES-2019-147 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 June 17, 2019 at 7:30 p.m.].

Joint with B&A

Guests: Deputy Commissioner Lou Vetrone, Department of Environmental Facilities; Melissa Grande, Senior Assistant County Attorney; and Deputy Budget Director, Gideon Grande

Lou Vetrone Melissa Rotini and Gideon Grande came before the Committee to discuss item # 11829/11830- SY038- Yonkers Joint Treatment Plant Engine Replacement. Ms. Rotini gave a background of the project and the history of the litigation surrounding the violation. The design is complete for the gas and aeration systems upgrade and the turbo system blower and electrical upgrades for phases II & III. This bond is for phases IV & V for replacement of the enterprise engines and aerobic digesters. This item has been discussed previously at a joint meeting of the Public Works Committee and Budget & Appropriations Committee. Chris Crane Counsel to the Board of Legislator noted that there was a change to the Bond Act, increasing the estimated cost. Deputy Director Grande explained that the estimated cost should change from \$43.4 million to \$56.2 million.

Additionally, there was a change to the Committee report to reflect an accurate timeline for the project. The change is in the 3rd paragraph of the Committee Report and reads:

"The Department has further advised that Phase II/III construction started in December 2018 and is scheduled to be completed by the end of 2020. Phase IV/V design is 50% complete. The estimated start of construction is mid-2020 and the estimated completion is mid-2022. It is anticipated that the work will be completed using consultants."

With a motion by Legislator Covill and seconded by Legislator Parker the item was approved with a vote of 6-0.

RESULT: SIGNED BY COMMITTEE

3. ACT-2019-120 Act – BOND ACT (Amended)-SY038-Yonkers Joint TP Engine Replacement:

An amended BOND ACT 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.

Joint with B&A

Guests: Deputy Commissioner Lou Vetrone, Department of Environmental Facilities; Melissa Grande, Senior Assistant County Attorney; and Deputy Budget Director, Gideon Grande

Please refer to item #2

With a motion by Legislator Covill and seconded by Legislator Parker the item was approved with a vote of 6-0.

RESULT: SIGNED BY COMMITTEE

4. ACT-2019-105 Act – BOND ACT-T009G-Paratransit Vehicles IV:

A BOND ACT authorizing the issuance of ONE MILLION FOUR HUNDRED SIXTY THOUSAND (\$1,460,000) DOLLARS in bonds of Westchester County to finance Capital Project T009G - Paratransit Vehicles IV.

Joint with B&A & SC

Guest: First Deputy Commissioner Bud Nicoletti, Department of Public Works & Transportation

First Deputy Commissioner Nicoletti came before the Committee to discuss item # 11858-Bond ACT-T009G- Paratransit Vehicles IV. This is a Bond Act in the amount of \$1,460,000 to finance the purchase of replacement paratransit vehicles and associated equipment. Mr. Nicoletti advised that the purchase of these vehicles will maintain the County's paratransit fleet at an adequate level of capacity to meet Federal and State guidelines. Mr. Nicoletti discussed that the new vehicles will be hybrid vehicles and they will be retrofitted to meet the County's needs. He mentioned the current vehicles have reached their useful life and have approximately 120,000 plus miles. While it is more expensive than the conventional vehicle, it has a smaller engine, better electric traction motor and will save on gas and reduce emissions. Because the information is downloadable to the data terminal, it will no longer need to be plugged in at the garage for download. The Committee Report was amended to reflect vehicles and equipment purchases.

"The Hybrid system shall be OEM approved and consist of the following major components: electric traction motor; 1.8KWh lithium ion battery pack operating at 259 volts, complete with inverter; motor drive electronic control unit; and a

telematics device to store and download vehicle operating dynamics. The system will increase fuel efficiency by 25% while similarly reducing CO2 emissions by the same amount. The hybrid electric motor is capable of producing 220 lb.-ft. of torque, and will more than compensate for the reduction in gasoline engine size from a 6.8L V-10 (420 lb.-ft.) to a 6.2L V-8 (356 lb.-ft.). The smaller gasoline engine and the hybrid drive system will provide even better fuel/emissions benefits.

The vehicle camera systems on the existing buses will be upgraded in resolution and downloading capability. The units will automatically send data to the bus facility's central computer when it arrives at that location. This replaces the present manual downloading of vital information. The older Mobile Data Terminals in the other vehicles need to be upgraded from 3G to 4G as per Verizon."

With a motion by Legislator Covill and seconded by Legislator Parker the item was approved with a vote of 6-0.

RESULT: SIGNED BY COMMITTEE

5. ACT-2019-106 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.

Joint with B&A

Guest: First Deputy Commissioner Bud Nicoletti, Department of Public Works & Transportation

At the call of the Chair, the Committee went into recess at 1:26 PM and reconvened the meeting at 2:17 PM

Mr. Nicoletti came before the Committee to discuss item # 11821- Bond Act- T034A-Maintenance Facility Upgrades II '15-'19. This an Act in the amount of \$65,000 that will authorize the Country to finance various improvements at both the Central Maintenance Facility in Yonkers and the Cerrato Bus Facility at the Valhalla Campus. The work will include the addition of a remote tag reader system which will provide automatic door operation for buses entering and exiting both the Yonkers and Valhalla bus garage. Mr. Nicoletti explained that this is the for the folding doors that have two and four leaves that fold up in accordion style which will open and close for the busses as they enter and exit. Currently they are manually operated and someone has to open and close them. The new system is electronic and the busses will have a transmitter that will open and close as the bus comes closer to the entry. The new system will also include an air curtain so internal heating won't be affected. The contractor is a State contractor. It is the Aurora model which is what is presently being used so it will only require an upgrade and includes ancillary electrical work. When Chairwoman Shimsky asked why this small amount is bonded, Budget Director Soule came to the table and pointed out that this isn't in the operating budget for this year. Once structural budget issues are dealt with, adjustments for small projects such as this are planned for inclusion in the operating budgets in the future. He is envisioning a revision so that in the future, bonding will be for \$100,000.00 (or perhaps higher). With a motion by Legislator Covill and seconded by Legislator Barr the item was approved with a vote of 4-0.

RESULT: SIGNED BY COMMITTEE

6. ACT-2019-107 Act – BOND ACT-BPL26-Flood Mitigation:

A BOND ACT authorizing the issuance of THREE HUNDRED THOUSAND (\$300,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL26 - Flood Mitigation

Joint with B&A and EHE

Guests: Anthony Zano, Assistant Commissioner and David Kvinge, Director of Environmental Planning, Department of Planning

Anthony Zaino, and David Kvinge from the Department of Planning came before the Committee to discuss items # 11864/11865- Bond Act/ IMA - BPL26- Flood Mitigation. This is a Bond Act that will authorize the County to issue up to \$300,000 in bonds to finance a component of Capital Project BPL26. The funding is geared toward mitigating flooding for localized projects proposed by individual localities. This bond will fund an engineering study through the County Stormwater Management Law. Additionally, this will also authorize an intermunicipal agreement with the City of New Rochelle setting the terms of the flood mitigation project. The municipalities will let out the project and the County will play an advisory role. This would provide funding for the County's portion of the initial design of a project proposed on behalf of the City of New Rochelle, the Town of Eastchester and the Village of Scarsdale who have agreed to work together to mitigate flooding along the Hutchinson River. It provides for up to 50% of the project (a 50/50% match with some added expenses for County administration) and once the recommendations from the study are made, the municipalities will come back to the County for more money. There will be an alternative analysis done to ascertain any effects up and down stream so that they can be dealt with. This does add some additional costs. This will be done before Phase II, which will be the construction phase, is done. This is the first such project to be done in 10 years. It will provide a cost/benefit analysis and once evaluated it will provide the basis for obtaining grant money to reduce the project costs. It will go through the City and not the County procurement process. The cost was determined based on bidding by the City of New Rochelle. There are budget amounts included: \$5,000 for administration costs; \$5,000 for the IMA and \$20,000 for the DPW staff time to review the analysis and planning. If any monies aren't used, they will be used to pay down the bond. This is for the design phase and it is anticipated to take 18 months to complete. There is discussion of getting rid of the dam. This will employ storm gauge data - though there isn't much data now. The study will identify future location for a storm gauge. It is a component of the study. David Kvinge will send a map and arrange for the local committee to appear before the Public Works, Environment, Health and Energy and Budget & appropriations committees. The County law encourages the employment of green infrastructure. It also must be in compliance with fair housing. With a motion by Legislator Covill and seconded by Legislator Barr the item was approved with a vote of 4-0, conditioned on receipt of the requested information.

RESULT:	SIGNED BY COMMITTEE
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7. ACT-2019-108 Act – IMA-BPL26-Flood Mitigation-New Rochelle:

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the City of New Rochelle in connection with a flood mitigation project - Capital Project BPL26).

Joint w/ B&E and EHE

Guests: Anthony Zano, Assistant Commissioner and David Kvinge, Director of Environmental Planning, Department of Planning

With a motion by Legislator Covill and seconded by Legislator Barr the item was approved with a vote of 4-0, conditioned on receipt of the requested information.

Please see item #6 for details

RESULT:	SIGNED BY COMMITTEE
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II. OTHER BUSINESS

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

Discussion with the Department of Environmental Facilities on the Material Recovery Facility & Transfer Station Rehabilitation.

Joint with Budget & Appropriations.

Guest: Commissioner Kopicki- Department of Environmental Facilities.

III. RECEIVE & FILE

1. **(ID # 11892) Communication – CLERK OF THE BOARD: Lake Shenorock/Lake Lincolndale Sanitary Sewer Districts:**

Correspondence from the Town of Somers seeking to create Sanitary Sewer Districts for Lake Shenorock and Lake Lincolndale.

With a motion by Legislator Covill and seconded by Legislator Barr, the item below was received & filed with a vote of 4 to 0.

RESULT:	SIGNED BY COMMITTEE
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2. **(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 Covill and seconded by Legislator Barr, the item below was received & filed with a vote of 4 to 0.

RESULT:	SIGNED BY COMMITTEE
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3. **(ID # 11370) Communication – HON. NANCY E. BARR: Correspondence re: Air Traffic and Noise at the Westchester County Airport:**

Forwarding constituent correspondence regarding air traffic and noise at the Westchester County Airport.

With a motion by Legislator Covill and seconded by Legislator Barr, the item below was received & filed with a vote of 4 to 0.

RESULT:	SIGNED BY COMMITTEE
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4. **(ID # 11675) Communication – HON. NANCY E. BARR: Air Facts Journal Article - "HPN: A Bird's Eye View, Past and Present":**

Forwarding an *Air Facts Journal* article entitled, "HPN: A Bird's Eye View, Past and Present."

With a motion by Legislator Covill and seconded by Legislator Barr, the item below was received & filed with a vote of 4 to 0.

RESULT: SIGNED BY COMMITTEE

5. **(ID # 11685) Communication – Pace University to Latimer-Support of Runway 16-34 Repaving:**

Forwarding a letter sent to County Executive George Latimer from Pace University supporting the proposed project to repave the Westchester County Airport runway.

With a motion by Legislator Covill and seconded by Legislator Barr, the item below was received & filed with a vote of 4 to 0.

RESULT: SIGNED BY COMMITTEE

6. **(ID # 11686) Communication – Fordham University to Latimer-Support of Runway 16-34 Repaving:**

Forwarding a letter sent to County Executive George Latimer from Fordham University supporting the proposed project to repave the Westchester County Airport runway.

With a motion by Legislator Covill and seconded by Legislator Barr, the item below was received & filed with a vote of 4 to 0.

RESULT: SIGNED BY COMMITTEE

7. **(ID # 11687) Communication – Progressive Computing to Latimer-Support of Runway 16-34 Repaving:**

Forwarding a letter sent to County Executive George Latimer from Progressive Computing supporting the proposed project to repave the Westchester County Airport runway.

With a motion by Legislator Covill and seconded by Legislator Barr, the item below was received & filed with a vote of 4 to 0.

RESULT: SIGNED BY COMMITTEE

8. **(ID # 11688) Communication – York International to Latimer-Support of Runway 16-34 Repaving:**

Forwarding a letter sent to County Executive George Latimer from York International supporting the proposed project to repave the Westchester County Airport runway.

With a motion by Legislator Covill and seconded by Legislator Barr, the item below was received & filed with a vote of 4 to 0.

RESULT: SIGNED BY COMMITTEE

9. **(ID # 11689) Communication – Accreditation Guru to Latimer-Support of Runway 16-34 Repaving:**

Forwarding a letter sent to County Executive George Latimer from Accreditation Guru, Inc., supporting the proposed project to repave the Westchester County Airport runway.

With a motion by Legislator Covill and seconded by Legislator Barr, the item below was received & filed with a vote of 4 to 0.

RESULT: SIGNED BY COMMITTEE

10. **(ID # 11760) Communication – HON. CATHERINE F. PARKER: NYTimes.com Article - "It's the No. 1 Power Source, but Natural Gas Faces Headwinds":**

Forwarding a *New York Times.com* article entitled, "It's the No. 1 Power Source, but Natural Gas Faces Headwinds."

With a motion by Legislator Covill and seconded by Legislator Barr, the item below was received & filed with a vote of 4 to 0.

RESULT: SIGNED BY COMMITTEE

ADJOURNMENT

Moved by Legislator Covill, seconded by Legislator Barr, the Committee adjourned at 2:42 PM.