



## Committee on Budget & Appropriations

~MINUTES~

Monday, February 24, 2020

10:00 AM

Committee Chair: Catherine Borgia

**DRAFT**

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

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### CALL TO ORDER

Meeting jointly with Legislation.

With a quorum present, Vice Chair Vedat Gashi 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 (Minority Leader)	Present	
Vedat Gashi	Vice Chair	Present	
Christopher Johnson	D16 Legislator (Majority Whip)	Present	
Damon Maher	D10 Legislator	Present	
Catherine Parker	D7 Legislator	Present	
David J. Tubiolo	D14 Legislator (Minority Whip)	Present	
Ruth Walter	D15 Legislator	Present	
Alfreda Williams	D8 Legislator (Vice Chair)	Present	
Benjamin Boykin	D5 Legislator (Chairman)	Present	

Others In Attendance: BOL: MaryJane Shimsky, Lyndon Williams, Colin Smith, Kitley Covill, Greg Casciato, Jaevon Boxhill, Jill Axelrod, Tatyana Martinez, Amy Vele, Alessandra Restiano  
LAW: John Nonna, Stacey Dolgin-Kmetz Budget: Larry Soule SENIORS: Jeanne Pici, Ann Darcy  
CE: Copper Crane GUESTS: Jon Mark, Mark Stefenov

### MINUTES APPROVAL

1. Monday, February 10, 2020 at 10:00 AM

**With a motion by Legislator Cunzio and seconded by Legislator Barr the item was approved with a vote of 11-0.**

2. Monday, February 10, 2020 at 1:01 PM

**With a motion by Legislator Cunzio and seconded by Legislator Barr the item was approved with a vote of 11-0.**

### I. ITEMS FOR DISCUSSION

1. **(ID # 12378) Act – Amend Grant Agreement-NYSOFA-Title III-C:**

AN ACT to authorize the County to retroactively amend a 2019 grant agreement with the New York State Office for the Aging (NYSOFA) and intermunicipal agreements with local municipalities (IMAs) to reflect an increase of FIFTY-FIVE THOUSAND, TWO HUNDRED NINE (\$55,209) DOLLARS in the total amount of Title III-C funding received by the County from NYSOFA to provide nutrition services to the elderly.

Budget only.

Guest: Commissioner Mae Carpenter- Department of Seniors Services

Jeanne Pici, Deputy Commissioner and Ann Darcy, Program Coordinator from the Department of Senior Services came before to discuss item number 12378- Amend Grant Agreement - NYSOFA- Title III-C. This is an Act that would authorize the County through its Department of Senior Programs and Services to retroactively amend a grant agreement with the New York State Office for the Aging (NYSOFA), by increasing the total amount of Title II- C funding for 2019 by \$55,209. It would also authorize the to retroactively amend the inter-municipal agreements (IMAs) by increasing the total amounts of Title II-C funding for 2019 by \$52,978. The remaining \$2,231 will be used to increase funding under an existing agreement with the Westchester Jewish Community Services, Inc. The amounts are listed in the legislation per each municipality. Deputy Commissioner Pici explained they get allocation based on population. At the end of the year, the Counties that have under spent send their monies back to the State and then the State looks at the Counties that have over served. Westchester had communities that have over served and the County is eligible for additional funds. Legislator Covill asked if we could see a list of the amounts from all the communities that have over served or under served in Westchester, so we can asses all of our seniors in need. Chairwomen Borgia agreed that there might be areas of need that we are not aware of. With a motion by Legislator A. Williams and seconded by Legislator Tubiolo the item was approved with a vote of 11-0.

<b>RESULT:</b>	<b>SIGNED BY COMMITTEE</b>
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**2. (ID # 12430) Resolution – HON. BENJAMIN BOYKIN: Home Rule Request - Sales Tax Law:**

A New York State Home Rule Request Resolution requesting the enactment of Assembly Bill No. A9727 and Senate Bill No. S7648 entitled, "AN ACT to amend the tax law, in relation to revising the period of authorization for the county of Westchester's additional one percent rate of sales and compensating use tax and the expiration of the Westchester county spending limitation act; to amend Chapter 272 of the laws of 1991, amending the tax law relating to the method of disposition of sales and compensating use tax revenue in Westchester County and enacting the Westchester county spending limitation act, in relation to revising the period of authorization for the county of Westchester's additional one percent rate of sales."

Joint with Leg.

Guests: County Attorney, John Nonna and Budget Director, Larry Soule

County Attorney, John Nonna, Chief Deputy County Attorney Stacey Dolgin-Kmetz and Budget Director Larry Soule came to before the members to discuss item #12430- Resolution- Home rule Request- Sales Tax Law. This resolution is a request from Westchester County to the NYS Assemble and Senate to enact the laws before them to amend the tax law, in relation to revising the period of authorization for the County's additional one percent rate of sales and compensating use tax and the expiration of the County's spending limitation. Chairman Boykin stated that he wants to make sure the language of the Home Rule Request includes the 3% County tax as well as the additional 1% increase. Mr. Soule stated he is fairly confident that an extension of the 1% increase must be requested every two years, but the 3% is permanent. Mr. Nonna stated that the

wording is correct because the request uses the language of section one of the Senate bill. Chairwomen Borgia stated that the County does not want to have the 1% increase open for discussion every two years, but would rather have it routinely re-authorized. Mr. Nonna stated that he doesn't think that other counties have been able to get additional amounts above the 3% automatically. Legislator Covill reiterated her concerns about the wording of the last sentence of the Resolution in that it does not state that we are seeking approval of the 3% plus the additional 1%. Ms. Dolgin-Kmetz advised that a Home Rule Request can only ask the State legislature to adopt legislation it has drafted, so we can't change the wording in our request. Chairman Boykin noted that the committee has made a record of their concerns, so if something comes up, the tape of the meeting can be reviewed. Mr. Nonna stated that the Law Department will provide a memorandum as written confirmation before tonight's Board meeting. With a motion by Legislator Parker and seconded by Legislator Boykin the item was approved with a vote of 9-0.

**RESULT: SIGNED BY COMMITTEE**

**3. (ID # 12395) Act – Retainer Agreement with The Wicks Group:**

AN ACT authorizing the County of Westchester to retain, at County expense, the Wicks Group, PLLC for the provision of outside counsel services related to the Westchester County Airport, for a term of (1) year commencing retroactive to November 22, 2019 for an amount not-to-exceed ONE HUNDRED FIFTY THOUSAND (\$150,000) DOLLARS.

Budget only.

Guests: County Attorney, John Nonna

County Attorney John Nonna came before the committee to discuss item 12395- Retainer Agreement with the Wicks Group. This is an Act that would authorize the County to retain, at the expense of the County, the Wicks Group, PLLC for providing outside counsel services in connection with the various legal issues relating to the Westchester County Airport for a one year term commencing retroactive to November 22, 2019 for a not-to-exceed amount of \$150,000. Mr. Nonna explained that this is an agreement that in the past has been an amendment to an existing agreement. Mr. Nonna decided to create a new agreement. The County has used this group for airport issues on and off throughout the years. Chairwoman Borgia asked what do we expect they would work on this year? He explained that they are working on the master plan that they would advise on and FBO's. Legislator Williams went over the information requested at the Law & Major Contracts meeting and stated that the LMC's committee made a request that going forward, the RFP process should take place after the agreement expires. Legislator Barr asked if this firm represents FBO's at Westchester Airport? County Attorney Nonna said they do not represent any at Westchester Airport but he will ask if they represent at any other airports and further who are their top ten clients. With a motion by Legislator Mahr and seconded by Legislator Barr the item was approved with a vote of 11-0.

**RESULT: SIGNED BY COMMITTEE**

## II. OTHER BUSINESS

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

CBAC (Citizens' Budget Advisory Committee) members appointments & reappointments for the 2020/2021 legislative term.

Legislator Borgia read through the list of re-appointment to CBAC and introduced the newest member Jonathan Mark from Scarsdale. She discussed that there are still open positions and they are accepting resumes.

### **III. RECEIVE & FILE**

### **ADJOURNMENT**

Moved by Legislator Barr seconded by Legislator A. Williams the Committee adjourned at 10:59 AM.