



Mid-Year Report from Chairman Benjamin Boykin II

July 2019

STATEMENT FROM THE CHAIRMAN

The first half of 2019 has been a busy, productive time at the Westchester County Board of Legislators. We continue the work we began in January 2018, at the start of the current, two-year legislative term on behalf of the health, safety and well-being of the people of this county.

As always, our decisions are guided by our progressive values of fairness, transparency and inclusion, and our long-term goal of making Westchester a more vibrant, more sustainable and better place to work, live and play.

ENVIRONMENT: This year we took important actions to protect our environment. We passed a law that will eliminate the use and sale of expanded polystyrene take-out food containers in Westchester. This material, which does not biodegrade, clogs landfills, winds up in marine ecosystems, absorbs other pollutants and is difficult to recycle economically once it has been used to hold food.

We also adopted energy benchmarking policy and procedures. These will allow the county to track energy use and efficiency in county buildings and will help the county apply for state energy efficiency grants. We have joined a lawsuit against the manufacturers and users of firefighting foam once used during training exercises at the County Airport. The foam has left behind pollutants, and we are seeking to recover the cost of cleanup and any other damages that the County may have incurred.

DOMESTIC VIOLENCE: We passed legislation to protect victims of domestic violence, which will entitle them to take up to 40 hours of paid leave to attend or testify in court proceedings related to their situations, to move from an abuser's residence, or to confer with lawyers or other advisers. No one should have to choose between their safety and their jobs, nor should anyone have to struggle to maintain their incomes when they are most vulnerable.

RENTERS PROTECTIONS: We approved a resolution supporting recently enacted laws that strengthen and extend rent stabilization protections. These measures end a practice that allowed landlords to raise rents for rent-controlled apartments by as much as 20 percent when new tenants moved in. They also do away with the practice of "vacancy decontrol" of such apartments. Additionally, they prevent landlords from using major repairs to raise rents beyond the actual cost of the repairs.

CRIMINAL JUSTICE REFORM: We supported reforms passed by our state legislators and signed into law which make our criminal justice system more fair. These changes include ending cash bail in most misdemeanor and non-violent felony cases, ensuring that people accused of crimes will have speedy trials, and giving defendants full access to

information about the charges against them at the outset of the process, instead of just on the eve of trial. These are not measures to protect criminals or free the guilty. These are measures that preserve the presumption of innocence and make sure that the protection of the law applies equally, regardless of a person's financial situation.



PARKS: Westchester's parks are one of our county's greatest assets. In the first six months of this year alone we've approved substantial improvements to parks across the county -- from rehabilitation of ball fields at Saxon Woods Park in White Plains and at Tibbets Brook Park in Yonkers, to repair of the Merestead site in Mount Kisco, to replacement of the Bathhouse canopy at Playland and repair of three dams at Blue Ridge Mountain Reservation in Peekskill and Cortlandt.

INFRASTRUCTURE: We are continuing the crucial work of repairing and upgrading our physical infrastructure around the county. In the first half of 2019, we approved many projects including rehabilitation of the runway at Westchester County Airport, repair of half a dozen county-owned roads, and rehabilitation of our wastewater treatment plants, material recovery facility and transfer stations.

VOTING REFORM: In January, New York State passed legislation to reform voting laws and the election calendar, including establishing early voting. I immediately established a Voting Reform Working Group to explore the effects of these changes on voters and candidates in Westchester, making us one of the first government entities in the state to undertake such an effort. Making sure the county is proactive in responding to these changes is essential to making the implementation as trouble-free as possible for voters as well as for candidates running for office.

NATURAL GAS MORATORIUM: In January 2019, Consolidated Edison announced a moratorium on new natural gas connections in most of Westchester to go into effect just weeks after the announcement. This moratorium will have an impact on businesses, homeowners, school districts and builders all over the county. In February, we convened a meeting with Con Ed representatives to express our concerns and to explore possible options for dealing with the moratorium.

Since then, New York State has announced a \$250 million Clean Energy Action Plan for Westchester to provide local investment in clean energy alternatives and the development of incentives for developers, businesses, schools and homeowners to include alternative systems like geothermal, and to enhance energy efficiency in new construction. Also, Con Ed has announced a deal with one pipeline company that should increase supply without construction of a new pipeline, but this deal is not expected to have an impact on the moratorium before 2023. As we increase conservation and our reliance on renewables, we need to ensure that Con Ed works to mitigate any hardship to Westchester residents, businesses and school districts.

PLAYLAND: Playland has been a significant focus for the Board in the first half of this year. The 2019 season at the park is off to a great start and this summer the first new ride at Playland in 11 years was installed. Approvals for the rehabilitation of historic rides at the park are also underway.

In May, County Executive George Latimer announced a decision to terminate the county's agreement with Standard Amusements for the management of the park, citing "material defaults under the contract." Standard was set to assume management of Playland this November.

As part of the Board's oversight responsibility, I quickly convened a Committee of the Whole meeting to hear from the County Executive and members of his senior team to examine the administration's decision and explore future plans for Playland. Since then, Standard Amusements has filed for federal bankruptcy protection and the status of the Playland contract will be decided in court. Regardless of the outcome, it is important that we secure Playland's future as a jewel of Westchester's park system by making sure that the park continues to run properly and by making sure that the necessary investments are made.

COUNTY FINANCES: Policy decisions made during the last County Executive's administration left Westchester with a structural deficit and a fund balance that had been drained to half of what it had been just a few years prior. This year we took a major step to rebuild the county's finances. We approved a one-percent increase in the county's sales tax rate, by a unanimous, bi-partisan vote of 12-0.

We appreciate the support of the New York State Senate, Assembly and the Governor in passing and signing this measure; and we thank County Executive George Latimer and his management team for their diligent work on this issue.

This change will allow us to stabilize the county's finances and begin rebuilding our fund balance while continuing to provide essential county services.

The measure also will help our school districts and local municipalities, which will share in the new revenue.

In 2019, the change is expected to generate about \$68 million, \$20 million of which will go to municipalities and school districts. In 2020, the change should bring in approximately \$148 million, with around \$45 million going to the local municipalities and school districts.

The change will not impact the four large cities – Yonkers, White Plains, New Rochelle and Mount Vernon, which are currently at the new county sales tax rate of 8 3/8 or higher.

I am committed to finding ways we can better serve the people of the county. It was a privilege to be nominated by the New York State Association of Counties to be one of just 30 county leaders from across the nation – and the only one from New York State – to take part in the 16th Annual County Leadership Institute in Washington, D.C. this June. It was an outstanding opportunity to learn from experts and to work with other county leaders to develop strategies and explore best practices that can be applied to helping us accomplish our goals for the people of Westchester.

It is an honor to be able to work for the people of Westchester together with my Legislative colleagues and our wonderful Board staff. I'm proud of the Board's accomplishments so far this year, and across the entire legislative term which began 18 months ago. We've set in motion major improvements to our parks and infrastructure, begun the process of repairing our finances after years of budget imbalances, and passed important new laws to protect both our environment and the working families of Westchester.

I welcome your thoughts and comments about what the Board of Legislators can do to better serve the people of Westchester.



Benjamin Boykin II
Chairman of the Board

PUBLIC WORKS FUNDING APPROVED

- Rehabilitation of runway at Westchester County Airport
- Repair of Old Saw Mill River Road in Mount Pleasant
- Repair of Seven Bridges Road in New Castle
- Repair of Westchester Avenue in White Plains
- Repair of Union Avenue in Harrison
- Repair of Long Ridge Road in Pound Ridge
- Repair of Orchard Street in White Plains
- Replacement and repair of more than 30 signs and sign structures on county roadways
- Rehabilitation of Material Recovery Facility & Transfer Station
- Final phase of rehabilitation of Department of Environmental Services main facility
- Flood mitigation near Pinebrook Boulevard in New Rochelle
- Acquisition of new hybrid Paratransit vehicles; retrofitting of cameras on existing buses for high definition and improved mobile data equipment

PARKS IMPROVEMENTS APPROVED

- Repair of 3 dams at Blue Ridge Mountain Reservation in Peekskill and Cortlandt
- Replacement of Playland Bathhouse canopy
- Development and repair of Merestead site in Mount Kisco
- Rehabilitation of Saxon Woods Park ballfield in White Plains
- Rehabilitation of Tibbets Brook Park ballfield in Yonkers
- Home rule request sent to Albany to allow Westchester to acquire North County Trailway from New York State for \$1.00

EPS FOOD CONTAINERS BANNED; OTHER ENVIRONMENTAL PROTECTIONS PASSED

- Unanimously approved a ban on the sale and use of expanded polystyrene takeout food containers in Westchester
- Adopted energy benchmarking policy & procedures to allow the county to track energy use and efficiency in county buildings, and to help the county establish eligibility for state energy efficiency grants
- Authorized the county to sue the manufacturers and users of firefighting foam to pay for any damages relating to and for the cost of cleaning up the per-and polyfluoralkyl substances ("PFAS") left behind at the County Airport

SAFE LEAVE LAW PASSED TO PROTECT VICTIMS OF DOMESTIC VIOLENCE

- Unanimously passed on April 23 and signed by the County Executive on May 3
- Gives victims of domestic violence the right to take up to 40 hours of paid leave to attend or testify in court proceedings related to their situations, to move from an abuser's residence, or to confer with lawyers or other advisers
- Protects victims from having to choose between a paycheck and their safety

EXTENDING SUPPORT FOR STATE CRIMINAL JUSTICE REFORMS

- Bipartisan resolution passed to support pre-trial criminal justice reforms in Albany
- These include new state laws that will:
 - End cash bail in most misdemeanor and non-violent felony cases
 - Assure speedier trials
 - Give the accused access to full information about the charges against them at the beginning of the process, not just on the eve of trial
 - Preserve the presumption of innocence and help ensure that the protection of the law applies regardless of a person's financial situation

SUPPORTING STATE PROTECTIONS FOR RENTERS

- Bipartisan resolution passed in support of strengthening and extending New York State (NYS) protections for renters under the Emergency Tenant's Protection Act (EPTA)
- Laws approved will:
 - End the practice that allows landlords to raise rents for rent-controlled apartments by as much as 20 percent when new tenants move into units
 - End the practice of "vacancy decontrol"
 - Keep landlords from using the cost of major repairs to raise rents beyond the cost of the repair
 - Prohibit evictions and non-renewals of leases without good cause

MORE THAN 115 APPOINTMENTS APPROVED

- More than 115 new appointments and re-appointments vetted and approved for key commissions and boards. These include the county's new Census 2020 Complete Count Committee, tasked with ensuring all Westchester residents are counted and the county does not lose out on both federal representation and federal dollars

VOTING REFORM WORKING GROUP FORMED, REPORT ISSUED

- Voting Reform Working Group formed by Chairman Boykin in January to explore the effects of NYS voting law changes on voters and candidates
- In a 14-page report, the Group recommended actions including the following:
 - The number and location of early polling sites (final selection of sites to be made by Board of Elections commissioners)
 - Ways to deal with Board vacancies under the state's new election calendar
 - Changes to county laws that might need to be passed to conform to the new state laws

SPECIAL MEETING HELD TO WITH CON ED ON GAS MORATORIUM

- On January 18, Con Edison announced a moratorium on new natural gas connections in most of Westchester beginning March 15
- In February, the Board convened a meeting with Con Ed representatives to express our concerns and to explore possible options for Westchester
- NYS announced a \$250 million Clean Energy Action Plan for Westchester to provide local investment in clean energy alternatives
- Con Ed since announced a deal with one pipeline company to increase supply without a new pipeline, but not expected to impact moratorium before 2023
- County and Con Ed will continue to explore conservation, use of renewables, and measures to limit hardships for Westchester residents and businesses

ANIMAL SAFEGUARDS ENACTED

- Measure passed to restrict how and when dogs can be tethered outside:
 - No tethering overnight or during a weather alert
 - No tethering to stationary objects for dogs less than six months old
 - A responsible party must be on the premises when dogs are tethered outdoors
- County's Animal Abuse Registry strengthened, including new measure encouraging pet dealers and adoption agencies to check it before the sale of any pet