

COMMITTEE ON BUDGET
& APPROPRIATIONS

February 18, 2009
10:00 A.M.

AGENDA

APPROVAL OF MINUTES: 1/28/09
RECEIVE & FILE:

ITEMS FOR DISCUSSION:

A147: **COUNTY ATTORNEY: Retention of Outside Counsel:** Act authorizing the retention of Jackson, Lewis, LLP, as of counsel to the County Attorney, to represent the County of Westchester and County Executive Andrew J. Spano in an appeal in connection with a decision issued in the action entitled DiBattista, et al. v. County of Westchester, et al. **BA-10/06/08 (Recommit 2/2/09)**

A158: **IMA-Organic Yard Waste Transfer Program:** An Act authorizing the County acting on behalf of Westchester County Refuse Disposal District No. 1 to enter into intermunicipal agreements with municipal corporations located within the County in order to continue an Organic Yard Waste Transfer Program for a term from April 1, 2008 through March 31, 2013. **BA/E&E 10/20/08**

A210. **Urban County Application:** Act authorizing County to submit an Urban County Application under the Federal Community Development Block Grant, Emergency Shelter Grant and HOME, including a FY 2009-2013 Consolidation Plan, and to accept such Grants. [CONSOLIDATED PLAN ON FILE] **BA/GO 2/2/09**

JOINT WITH PUBLIC SAFETY:

A204. **Hawthorne Fire District IMA:** Act authorizing the County of Westchester to enter into an intermunicipal agreement with the Hawthorne Fire District to provide specialized training and fire suppression services for the term commencing January 1, 2009 and expiring December 31, 2009 in an amount not to exceed Thirteen Thousand (\$13,000.00)Dollars. **BA/PS 2/2/09**

A205. **Valhalla Fire District IMA:** Act authorizing the County of Westchester to enter into an intermunicipal agreement with the Valhalla Fire District to provide specialized training and fire suppression services for the term commencing January I, 2009 and expiring December 31, 2009 in an amount not to exceed Forty Five Thousand (\$45,000.00) Dollars. **BA/PS 2/2/09**

Unfinished Business and any agenda items to come before the Committee

ITEMS REFERRED TO COMMITTEE:

A) COMMUNICATIONS - COUNTY EXECUTIVE/COUNTY ATTORNEY:

A6: **Sewer District Modification:** Proposed Act to Modify the Saw Mill Sanitary Sewer District by the addition of 263 parcels of property located in the Town of New Castle. **COMMITTEE REFERRAL: BA/GO – 1/22/08**

A134: **Settlement of Debt-NewYourGrocer:** Act authorizing the settlement and compromise of a debt owed to the County by NewYourGrocer, LLC in connection with monies owed under a

A143: **Lawsuit-White Plains Avenue, LLC:** Act authorizing the County Attorney to initiate a lawsuit against White Plains Avenue, LLC, and the developer of ten Westchester County affordable housing units for a violation of its contracts with Westchester County that controlled its use of federal funds in the projects. **BA/GO-9/22/08**

A147: **COUNTY ATTORNEY: Retention of Outside Counsel:** Act authorizing the retention of Jackson, Lewis, LLP, as of counsel to the County Attorney, to represent the County of Westchester and County Executive Andrew J. Spano in an appeal in connection with a decision issued in the action entitled DiBattista, et al. v. County of Westchester, et al. **BA-10/06/08 (Recommit 2/2/09)**

A152: **NYCLASS Agreement:** Act authorizing the County of Westchester, acting by and through its Department of Finance, to participate in NYCLASS (New York Cooperative Liquid Assets Securities System), a cooperative investment agreement. **BA 10/20/08 Recommended**

A158: **IMA-Organic Yard Waste Transfer Program:** An Act authorizing the County acting on behalf of Westchester County Refuse Disposal District No. 1 to enter into intermunicipal agreements with municipal corporations located within the County in order to continue an Organic Yard Waste Transfer Program for a term from April 1, 2008 through March 31, 2013. **BA/E&E 10/20/08**

A162: **Capital Budget Amendment-BES07:** Act amending the County's 2008 Capital Budget to increase the appropriation for Capital Project BES07-Food Storage and Distribution Warehouse by Four Hundred Thousand (\$400,000) Dollars **(for a total of \$570,000)**. (C100) **BA/CS 11/10/08**

A197: **Compromise of Claim:** Act authorizing the County Attorney to compromise the claim of Westchester County to be reimbursed for health care expenditures and wage benefits paid to or on behalf of a District Attorney investigator from a settlement of his legal action against third-party tortfeasors. **BA 1/5/09**

A200 **Lease Agreement-WCC Satellite Campus:** Local Law authorizing the County of Westchester to enter into a lease agreement with Brooks Shopping Centers, LLC for the lease of space located at the Cross County Shopping Center for a ten (10) year term. (WCC Satellite Campus) – **BA/GO 1/21/09**

A201 **Property Purchase (NHLA Act)-Riverdale Ave-Yonkers:** Act authorizing the County of Westchester to purchase and subsequently convey approximately 3.1 acres of real property in the City of Yonkers, for the purpose of providing 343 affordable rental units that will remain affordable until December 31, 2049. **BA/GO 1/21/09**

A203 . **Teamsters Contract-Local 456:** 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 Teamsters Local 456 for the period commencing January 1,2006 and ending December 31, 2008. **BA/GO 2/2/09**

A204. **Hawthorne Fire District IMA:** Act authorizing the County of Westchester to enter into an intermunicipal agreement with the Hawthorne Fire District to provide specialized training and fire suppression services for the term commencing January 1, 2009 and expiring December 31, 2009 in an amount not to exceed Thirteen Thousand (\$13,000.00)Dollars. **BA/PS 2/2/09**

intermunicipal agreement with the Valhalla Fire District to provide specialized training and fire suppression services for the term commencing January 1, 2009 and expiring December 31, 2009 in an amount not to exceed Forty Five Thousand (\$45,000.00) Dollars. **BA/PS 2/2/09**

A206. **Environmental Resolution RTB07 Tibbetts Brook Pool Renovation:** Resolution determining that there will be no significant adverse impact on the environment from the the design and construction of renovations to the pool complex at Tibbetts Brook Park along with the related infrastructure improvements (capital project: RTB07 - Tibbett's Brook Pool Renovation). **BA/GO 2/2/09**

A207. **Capital Budget Amendment-RBR01 Bronx River Reservation Pathway:** Act amending the County 2009 Capital Budget by amending capital project RBR01 Bronx River Reservation Pathway. **BA/GO 2/2/09**

A208. **Grant Agreement-RBR01-Bronx River Reservation Pathway:** Act authorizing the County to enter into grant agreements with the State of New York for RBRO1-Bronx River Reservation Pathway. **BA/GO 2/2/09**

A209. **Capital Budget Amendment-RP051-Playland Lighting Replacement:** Act amending the County 2009 Capital Budget by creating appropriations for capital project RP051-Playland Lighting Replacement. **BA/GO 2/2/09**

A210. **Urban County Application:** Act authorizing County to submit an Urban County Application under the Federal Community Development Block Grant, Emergency Shelter Grant and HOME, including a FY 2009-2013 Consolidation Plan, and to accept such Grants. [CONSOLIDATED PLAN ON FILE] **BA/GO 2/2/09**

A211. **Lease Agreement -JPMorgan Chase Bank/Airport:** Local Law authorizing the County of Westchester to enter into a lease agreement with JPMorgan Chase Bank, National Association for space at Westchester County Airport. [PLAN ON FILE] **BA/GO 2/2/09**

B) COMMUNICATIONS – OTHER:

B2: **HON. MICHAEL KAPLOWITZ-Gomer Street Sewer Dist:** Forwarding an application from the Town of Yorktown to establish the Gomer Street Sewer District. (Map on File) **COMMITTEE REFERRAL: BA/GO – 1/22/08**

B3: **HON. GEORGE OROS, HON. JAMES MAISANO, & HON. GORDON BURROWS: Board of Acquisition & Contract:** Proposed Local Law amending Chapters 107, 161, 167 and 209 of the Laws of Westchester County in order to amend the provisions relating to the composition and powers of the Board of Acquisition and Contract, and to establish certain procedures for the operation of, and the award of contracts by, the Board of Acquisition and Contract. **COMMITTEE REFERRAL: LEG/BA – 1/22/08**

B12: **HON. JOHN NONNA: Volunteer Firefighters Tax Credit:** Forwarding correspondence from North White Plains Fire Company #1 with regard to a tax credit for volunteer firefighters. **COMMITTEE REFERRAL: BA/LEG – 3/11/08**

B16: **HON. WILLIAM RYAN: Westchester County Land Trust:** Forwarding a copy of his letter to the County Executive with regard to information the Board had previously requested and is waiting to receive with regard to the Westchester County Land Trust. **COMMITTEE REFERRAL: BA/GO – 3/11/08**

B30: **HON. WILLIAM BURTON: Westchester County Tax Law:** Forwarding the Westchester

BA/GO-5/19/08

B32: **CLERK OF THE BOARD: Summons & Complaint-Avitat:** Forwarding a Summons & Complaint from the United States District Court, southern District of New York entitled 41 North 73 West, Inc. d/b/a Avitata Westchester and Jet Systems, against County of Westchester, New York. CA-6/2/08

B33: **HON. WILLIAM RYAN: Off-Track Betting Revenues:** Forwarding correspondence from the President & CEO of the Off-Track Betting Corporation to the County Executive urging Westchester's membership and participation in the revenues from off-track betting in the County. (BA, 7/8/08)

B34: **HON. THOMAS ABINANTI & HON. VITO PINTO: Payment of School Taxes:** Local Law amending Chapter 283, Section 283.221 with respect to the penalties for the neglect to pay school taxes after the levy thereof. (BA/LEG, 7/8/08)

B35: **Hon. Thomas Abinanti: Parcel Q Resolutions:** Forwarding resolutions supporting the acquisition of Parcel Q by the Town of Greenburgh for recreational and trailway purposes. **BA/GO-8/11/08**

B38: **HON. MARTIN ROGOWSKY: Shifting of Costs for State Programs:** Forwarding a proposed Resolution urging the Governor and the State Legislature not to shift costs of State programs to County Governments when reducing State spending. **BA 10/20/08**

B39: **HON. JOHN NONNA: Miller House:** Forwarding the Strategic Plan for the Miller House Historical Site (on file) in North White Plains and requesting the Committee on Budget & Appropriations and the Committee on Government Operations consider adding \$700,000 in the Capital Plan for renovations. **BA/GO 10/20/08**

B42: **HON. THOMAS ABINANTI: Surplus Land-Parcel Q-Town of Greenburgh Resolution:** Forwarding a Town of Greenburgh Resolution authorizing the acquisition of surplus Parcel Q, located at the terminus of Old Sprain Road, by the Town of Greenburgh from the County, for \$1.00, be used in perpetuity for park and recreational purposes. **BA/GO 10/20/08**

B43: **HON. THOMAS ABINANTI: Surplus Land-Parcel Q-Town of Greenburgh-(Act):** Forwarding a proposed Act determining that the parcel of County owned real property (Parcel Q) located at the terminus of Old Sprain Road in Westchester County is surplus property. **BA/GO 10/20/08**

B44: **HON. KEN JENKINS: Shared Services:** Forwarding correspondence from Assemblywoman Sandra Galef with regard to sharing services to reduce costs. **BA 11/10/08**

B45: **HON. MICHAEL KAPLOWITZ: Department of Investigations:** Proposed Local Law adding Chapter 159 to the Laws of Westchester County to establish a Department of Investigations. **BA/LEG 11/24/08**

B46 **COUNTY ATTORNEY: Retention of Outside Counsel:** Act designating an attorney to be retained to represent the County Attorney's office in an administrative proceeding initiated against an employee in the Law Department. **BA 1/21/09**

B47. **HON. JUDITH MYERS: Food Bank/DES Joint Warehouse:** Correspondence from the Sterling Club Food Pantry of the Mental Health Association of Westchester urging support for the Westchester County Department of Emergency Services and the Food Bank for Westchester initiative to construct a warehouse facility that would meet the needs of both entities. **BA/CS 1/21/09**

Sound: Packet of information from the Citizens Advisory Committee of the Long Island Sound Study with regard to the Economic Recovery Investment in Long Island Sound. Regular Meeting Agenda January 21, 2009 **BA/CS 1/21/09**

B49 **HON. JUDITH MYERS: Food Bank/DES Joint Warehouse:** Constituent correspondence urging support for the Westchester County Department of Emergency Services and the Food Bank for Westchester initiative to construct a warehouse facility that would meet the needs of both entities. **BA/CS 1/21/09**

C) BOND ACTS:

C47: **Bond Act-RP006 Various Rides & Components Restoration- Derby Racer:** Act authorizing the issuance of \$200,000 in bonds to finance Capital Project RP006-Variou Rides & Components Restoration-Derby Racer. **BA/GO-6/2/08**

C100: **Bond Act Amendment-BES07-Food Storage Warehouse:** Act authorizing the issuance of an additional Four Hundred Thousand (\$400,000) Dollars (**for a total of \$570,000**) in bonds for Capital Project BES07-Food Storage Warehouse to fund the design of the facility and preparation of construction bid documents for a food warehouse and depot for receiving, breaking down, repacking and distribution of emergency food and disaster supplies to County residents requiring assistance during a large scale disaster/emergency situation affecting the County and to serve a second function as a location for the receipt, storage and distribution of donated food to County pantries and soup kitchens. (A162) **BA/CS 11/10/08**

C109. **Bond Act Amendment-North Yonkers Pump Station Upgrading of Pumps (SPS02):** Act authorizing the issuance of bonds in the amount of Three Million Two Hundred Thousand (\$3,200,000) Dollars to finance Capital project SPS02-North Yonkers Pump Station Upgrading of Pumps. **BA/GO 1/21/09**

C110. **Bond Act-(BPL10)-47 Riverdale Avenue-Yonkers:** Act authorizing the issuance of up to Five Million fifty Thousand (\$5,050,000) Dollars to finance the NHLA Capital Project BPL10 (47 Riverdale Avenue, Yonkers). **BA/GO 1/21/09**

C111. **Bond Act RM102-Marshland/Jay Property Site Work:** (Bond) Act authorizing the County of Westchester to issue up to Six Hundred Thousand (\$600,000) Dollars in bonds of the County to finance capital project RM102-Marshlands/Jay Property Site Work **BA/GO 2/2/09**

C112. **Bond Act RTB07 -Tibbetts Brook Pool Renovation:** Amended (Bond) Act authorizing the County of Westchester to issue bonds in the total amount of Nine Million Two Hundred Fifty Thousand (\$9,250,000) Dollars to finance capital project RTB07 - Tibbetts Brook Pool Renovation. **BA/GO 2/2/09**

C113. **Bond Act RBR01-Bronx River Reservation Pathway:** (Bond) Act authorizing the issuance of up to \$309,000 in bonds to finance capital project RBR01-Bronx River Reservation Pathway. **BA/GO 2/2/09**

C114. **Bond Act RP051-Playland Lighting Replacement:** (Bond) Act authorizing the issuance of Nine Hundred Fifty Thousand (\$950,000) Dollars in bonds for capital project RP051. **BA/GO 2/2/09**

