

COMMITTEE ON BUDGET
& APPROPRIATIONS

MARCH 16, 2009
10:00 A.M.

AGENDA

APPROVAL OF MINUTES: 3/5/09

RECEIVE & FILE: A200, A216, B47, B49, B50, B52

ITEMS FOR DISCUSSION:

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**

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**

A217. **Amendment Agreement (\$1,500,000.00):** Increasing the "not to exceed" amount in the agreement between the County of Westchester and Epstein, Becker and Green for legal representation in an "of counsel" capacity to the Westchester County Attorney in the lawsuit entitled United States of America, ex rel, Anti Discrimination Center of Metro New York v. Westchester County, New York by an additional one million five hundred thousand dollars (\$1,500,000) for a total not to exceed amount of three million dollars (\$3,000,000). **BA 3/5/09**

B46 **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**

Added Starter for Budget Appropriations:

A226. **Capital Budget Amendment-(RARD1) Ardsley Infrastructure Recreational Improvements:** Act amending the County Budget by amending the County 2009 Capital Budget by creating Capital Project RARD1 Ardsley Infrastructure Recreational Improvements. **BA 3/13/09 – added starter**

C119. **Bond Act-(RARD1) Ardsley Infrastructure Recreational Improvements:** Act authorizing the issuance of One Million (\$1,000,000) Dollars in bonds to finance Capital Project RARD1 to finance the cost of various improvements in the Ardsley Union Free School District. **BA 3/13/09 – added starter**

JOINT WITH PUBLIC SAFETY & SECURITY:

A215. **Lewisboro Police Department Vehicle(S) IMA:** Act authorizing the County of Westchester to lease one or more vehicles to the Town of Lewisboro for use by the Town's Police Department. **BA/PSS 3/5/09**

A224. **Capital Budget Amendment-(BPS19) Gunshot Detection System & Video Surveillance Integration:** Act amending the County Budget by amending appropriations for BPS19 Gunshot Detection System & Video Surveillance Integration. **B/A&PSS 3/13 Added Starter**

A225. **IMA Capital Project-BPS19 Gunshot Detection System & Video Surveillance Integration:** An Act authorizing the County of Westchester to enter into intermunicipal agreements (“IMA’s”) with the Cities of Yonkers and Mount Vernon for the installation of gunshot detection/location systems integrated with a video surveillance system in specific areas identified by local law enforcement officials. **B/A&PSS 3/13 Added Starter**

C118. **Bond Act-(BPS19)Gunshot Detection System & Video Surveillance Integration:** Act authorizing the issuance of Three Million (\$3,000,000) Dollars in bonds to finance Capital Project BPS19 Gunshot Detection System & Video Surveillance Integration. **B/A&PSS 3/13 Added Starter**

JOINT WITH GOVERNMENT OPERATIONS:

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**

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**

A214. **Capital Budget Amendment-RB105-Countywide Road Rehabilitation Program:** Act amending the County 2009 Capital Budget to increase the appropriation for capital project RB105 by Two Hundred Thirty Thousand (\$230,000) Dollars. **BA & GO 3/5/09**

C115. **Bond Act-RB105-Countywide Road Rehabilitation Program:** Act authorizing the issuance of Two Hundred Thirty Thousand (\$230,000) Dollars in bonds to finance Capital Project RB105-Countywide Road Rehabilitation Program. (C.R. #132 Board Street Viaduct, in the cities of Mount Vernon and Yonkers, and C.R. #311 South Columbus Avenue, and C.R. #61 Sanford Boulevard in the City of Mount Vernon) **BA/GO 3/5/09**

A218. **Grant Agreements-(RPA01) General Infrastructure-Pathways and Trails:** Act authorizing the County to enter into grant agreements with the State of New York for RPA01- General Infrastructure-Pathways and Trails. **BA/GO 3/5/09**

A219. **Capital Budget Amendment-(RPA01) General Infrastructure-Pathways & Trails:** Act amending the County 2009 Capital Budget by amending appropriations for RPA01 General Infrastructure-Pathways and Trails. **BA/GO 3/5/09**

C117. **Bond Act-(RPA01) General Infrastructure-Pathways and Trails:** Act authorizing the issuance of Three Hundred Thousand (\$300,000) Dollars in bonds to finance Capital Project RPA01-General Infrastructure-Pathways and Trails. **BA/GO 3/5/09**

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**

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**

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

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**

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**

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**

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**

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**

A214. **Capital Budget Amendment-RB105-Countywide Road Rehabilitation Program:** Act amending the County 2009 Capital Budget to increase the appropriation for capital project RB105 by Two Hundred Thirty Thousand (\$230,000) Dollars. **BA & GO 3/5/09**

A215. **Lewisboro Police Department Vehicle(S) IMA:** Act authorizing the County of Westchester to lease one or more vehicles to the Town of Lewisboro for use by the Town's Police Department. **BA/PSS 3/5/09**

A216. **2008 Annual Dog Licensing Report:** Forwarding a copy of the 2008 Annual Dog Licensing Report. **BA 3/5/09**

A217. **Amendment Agreement (\$1,500,000.00):** Increasing the "not to exceed" amount in the agreement between the County of Westchester and Epstein, Becker and Green for legal representation in an "of counsel" capacity to the Westchester County Attorney in the lawsuit entitled United States of America, ex rel, Anti Discrimination Center of Metro New York v. Westchester County, New York by an additional one million five hundred thousand dollars (\$1,500,000) for a total not to exceed amount of three million dollars (\$3,000,000). **BA 3/5/09**

A218. **Grant Agreements-(RPA01) General Infrastructure-Pathways and Trails:** Act authorizing the County to enter into grant agreements with the State of New York for RPA01- General Infrastructure-Pathways and Trails. **BA/GO 3/5/09**

A219. **Capital Budget Amendment-(RPA01) General Infrastructure-Pathways & Trails:** Act amending the County 2009 Capital Budget by amending appropriations for RPA01 General Infrastructure-Pathways and Trails. **BA/GO 3/5/09**

A220. **Amending Act 220-2008 (330 Riverdale Avenue Affordable Housing Project):** Act to amend Act 220-2008 to authorize a decrease in the period of affordability for the affordable housing development to be known as 330 Riverdale Avenue in the City of Yonkers from 50 years to 30 years. **BA/GO 3/5/09**

A221. **Act Amending Act 222-2008 (330 Riverdale Avenue Affordable Housing Project):** Act to amend Act 222-2008, to authorize a decrease in the period of affordability for the affordable housing development to be known as 330 Riverdale Avenue in the City of Yonkers from 50 years to 30 years. **BA/GO 3/5/09**

A222. **Act Modifying Saw Mill Sanitary Sewer District-61 Old Sleepy Hollow Rd.:** Act to modify the Saw Mill Sanitary Sewer District ("District") by the addition of one parcel of property located in the Village of Briarcliff Manor ("Village"). [61 Old Sleepy Hollow Road] **BA/GO 3/5/09**

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) **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. **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. **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. **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**

B48 **HON. JUDITH MYERS: Economic Recovery Investment in Long Island 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**

B50 **HON. WILLIAM RYAN: Fiscal year 2008 fourth quarter report of Board expenditures:** Memo from the Chairman to the Legislators detailing the Board of Legislators fourth quarter expenditures. **BA 2/19/09 sent directly to Committee by Chair**

B51. **HON. MICHAEL KAPLOWITZ: East of Hudson Funds:** Forwarding a Town of Yorktown Resolution requesting the Northern Westchester Watershed Committee fund a study to evaluate sewerage of the unsewered Hallocks Mill Sewer District from the East of Hudson Funds. **B&A & EE 3/5/09**

B52. **LEGISLATORS RYAN, ALVARADO, JENKINS: Lease Agreement Withdrawal (WCC-Brooks Shopping Centers):** Correspondence from the County Executive withdrawing the Local Law (submitted on January 20, 2009 on Behalf of WCC) 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. **B&A & GO 3/5/09**

B53. **HON. MICHAEL KAPLOWITZ: Hallocks Mill Sewer District:** Town of Yorktown Resolution authorizing the Supervisor to sign the agreement initiating the conceptual design study for the Hallocks Mill Sewer District. **B&A & EE 3/5/09**

B54. **CLERK OF THE BOARD: Stimulus Plan:** Correspondence from Yonkers Mayor Amicone to President Obama with regard to his proposed Stimulus Plan. **B&A 3/5/09**

C) BOND ACTS:

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**

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**

C115. **Bond Act-RB105-Countywide Road Rehabilitation Program:** Act authorizing the issuance of Two Hundred Thirty Thousand (\$230,000) Dollars in bonds to finance Capital Project RB105-Countywide Road Rehabilitation Program. (C.R. #132 Board Street Viaduct, in the cities of Mount Vernon and Yonkers, and C.R. #311 South Columbus Avenue, and C.R. #61 Sanford Boulevard in the City of Mount Vernon) **BA/GO 3/5/09**

C116. **Bond Act-(RP040)-Playland Park Administration Building Rehabilitation:** Act authorizing the issuance of One Million One Hundred Thousand (\$1,100,000) Dollars in bonds to finance Capital Project RP040-Administration Building Rehabilitation. (Playland) **BA/GO 3/5/09**

C117. **Bond Act-(RPA01) General Infrastructure-Pathways and Trails:** Act authorizing the issuance of Three Hundred Thousand (\$300,000) Dollars in bonds to finance Capital Project RPA01-General Infrastructure-Pathways and Trails. **BA/GO 3/5/09**