

COMMITTEE ON BUDGET  
& APPROPRIATIONS

NOVEMBER 18, 2008  
9:30 A.M. (TUES.)

AGENDA

**APPROVAL OF MINUTES:**

**ITEMS FOR DISCUSSION:**

**2009 Operating Budget Review**

*District Attorney  
Social Services  
Labs & Research*

**ADDED STARTER 'A':** A legislative package authorizing the County of Westchester to enter into a new Consent Order ("2008 State Consent Order") with the New York State Department of Environmental Conservation ("NYSDEC"), with regards to nitrogen removal. (Also in E&E).

A167: **Riverdale Avenue Affordable Housing Project Environmental:** Resolution declaring that there will be no significant adverse impact on the environment from the Riverdale Avenue Affordable Housing project. BA/GO 11/10/08

A168: **Capital Budget Amendment-BPL01-Riverdale Avenue Affordable Housing Project:** Act amending the County 2008 Capital Budget by increasing the appropriations of Capital Project BPL01 Housing Implementation Fund. (Riverdale Avenue Affordable Housing Project). BA/GO 11/10/08

A169: **Capital Budget Amendment-BPL10-Riverdale Avenue Affordable Housing Project:** Act amending the County 2008 Capital Budget by increasing the appropriations for Capital Project BPL10 New Homes Land Acquisition. (Riverdale Avenue Affordable Housing Project). BA/GO 11/10/08

A170: **Purchase and Conveyance of Property-Riverdale Avenue Affordable Housing Project:** Act authorizing the County to purchase and subsequently convey approximately 1.25 acres of real property in the City of Yonkers for the purpose of providing 136 affordable rental units that will remain affordable for a period of not less than 50 years. BA/GO 11/10/08

A171: **IMA-Riverdale Avenue Affordable Housing Project:** Act authorizing the County to enter into an intermunicipal agreement with the City of Yonkers for the provision of funds to purchase, construct or develop public improvements associated with the development of a Housing Implementation Fund project known as 330 Riverdale Avenue in the City of Yonkers and to accept a grant at no cost to the County of all necessary property rights in connection with the project for the purpose of providing 136 affordable rental units that will remain affordable for a period of not less than fifty years. (Riverdale Avenue Affordable Housing Project). BA/GO 11/10/08

C102: **NHLA Bond Act BPL10-Riverdale Avenue Affordable Housing Project:** Bond Act authorizing the issuance of up to Three Million Five Hundred Fifty Thousand (\$3,550,000) Dollars in bonds to finance Capital Project BPL10-New Homes Land Acquisition. (Riverdale Avenue Affordable Housing Project). BA/GO 11/10/08

C103: **HIF Bond Act BPL01-Riverdale Avenue Affordable Housing Project:** Act authorizing the issuance of up to Four Million Six Hundred Thousand (\$4,600,000) Dollars to finance Capital Project BPL01-Housing Implementation Fund. (Riverdale Avenue Affordable Housing Project). BA/GO 11/10/08

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**

A57: **WCHCC Cooperation Agreement:** Proposed Act authorizing the County to enter into a Cooperation Agreement with the Westchester County Health Care Corporation. **(BA/CS 4/07/08)**

A60: **AST Golf Services:** Proposed Act requesting authorization to commence a legal proceeding against AST Golf Services, Inc., to recover money damages. **(BA 4/07/08)**

A132: **Compromise of Claim-County Employees:** Act authorizing the County Attorney to compromise the claims of Westchester County to be reimbursed for health care expenditures paid to or on behalf of County employees from the proceeds of settlements with or legal action against third-party tortfeasors. **BA-8/11/08**

A133: **Compromise of Claims-Police Officer:** 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 police officer from a settlement of his legal action against third-party tortfeasors. **BA-8/11/08**

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 lease agreement. **BA-8/11/08**

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**

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/GO-10/06/08**

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**

A154: **Sewer District Modification Act-1374 White Hill Road, Yorktown:** Act to modify the Peekskill Sanitary Sewer District by the addition of one (1) parcel of property located in the Town of Yorktown. (1374 White Hill Road, Yorktown) **BA/GO 10/20/08**

158: **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**

A160: **East of Hudson Grant Fund Distribution:** Act authorizing the transfer of Five Hundred Thousand (\$500,000.00) Dollars of Earnings of the East of Hudson Water Quality Investment Program Fund, for which the County is custodian under the 1997 Watershed Memorandum of Agreement, into a county Trust Account in order to fund the continued operation of the County's Septic System Management program. **BA/E&E 10/20/08**

A161: **East of Hudson MOU:** Act authorizing the County to enter into a Memorandum of Understanding (MOU) with the New York City Department of Environmental Protection in order to distribute Five Hundred Thousand (\$500,000.00) Dollars of the East of Hudson Water Quality Investment Program Fund, for which the County is custodian under the 1997 Watershed Memorandum of Agreement, in order to fund the continued operation of the County's Septic System Management Program. **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. (C100) **BA/CS 11/10/08**

A163: **Grant Acceptance-Design of Centralized Real Property Tax Database:** Acceptance of a grant in the amount of \$25,000 from the State of New York Office of Real Property Services to be used by the Westchester County Tax Commission with the support of the Westchester County Municipal Officials Association and in partnership with the Westchester County Tax receivers and Collectors Association to study the design and possible implementation of a centralized database through which the taxable status, tax, and payment history of every real property parcel in the County may be ascertained. **BA 11/10/08**

A164: **Grant Acceptance for Collaborative Tax Assessment Study:** Acceptance of a grant in the amount of \$25,000 from the State of New York Office of Real Property Services to be used by the Westchester County Tax Commission in partnership with the Westchester County Municipal Association and the Westchester County Chapter of the New York State Assessors Association to study Collaborative Assessing. **BA 11/10/08**

A165: **Certiorari Property Tax Refunds:** Forwarding an information package of court ordered Certiorari Property Tax Refunds paid by the Department of Finance. **BA 11/10/08**

A166: **CSEA Agreement:** Forwarding the Agreement between the County of Westchester and the Civil Service Employees of Association Inc., Local 1000, AFSCME, AFL-CIO Westchester Local 869, Westchester County Unit 9200. **BA 11/10/08**

A167: **Riverdale Avenue Affordable Housing Project Environmental:** Resolution declaring that there will be no significant adverse impact on the environment from the Riverdale Avenue Affordable Housing project. **BA/GO 11/10/08**

A168: **Capital Budget Amendment-BPL01-Riverdale Avenue Affordable Housing Project:** Act amending the County 2008 Capital Budget by increasing the appropriations of Capital Project BPL01 Housing Implementation Fund. (Riverdale Avenue Affordable Housing Project). **BA/GO 11/10/08**

A169: **Capital Budget Amendment-BPL10-Riverdale Avenue Affordable Housing Project:** Act amending the County 2008 Capital Budget by increasing the appropriations for Capital Project BPL10 New Homes Land Acquisition. (Riverdale Avenue Affordable Housing Project). **BA/GO 11/10/08**

A170: **Purchase and Conveyance of Property-Riverdale Avenue Affordable Housing Project:** Act authorizing the County to purchase and subsequently convey approximately 1.25 acres of real property in the City of Yonkers for the purpose of providing 136 affordable rental units that will remain affordable for a period of not less than 50 years. **BA/GO 11/10/08**

A171: **IMA-Riverdale Avenue Affordable Housing Project:** Act authorizing the County to enter into an intermunicipal agreement with the City of Yonkers for the provision of funds to purchase, construct or develop public improvements associated with the development of a Housing Implementation Fund project known as 330 Riverdale Avenue in the City of Yonkers and to accept a grant at no cost to the County of all necessary property rights in connection with the project for the purpose of providing 136 affordable rental units that will remain affordable for a period of not less than fifty years. (Riverdale Avenue Affordable Housing Project). **BA/GO 11/10/08**

A172: **Settlement Claim-NYSDE-New Rochelle Reservoir #3 Dam:** Act authorizing the County Attorney to settle the outstanding and anticipated administrative claims of the New York State Department of Environmental Conservation concerning the New Rochelle Reservoir#3 Dam and the Pocantico Lake Dam, by entering into the annexed Order on Consent. **BA/EE 11/10/08**

A173: **Sewer District Modification-Saw Mill Valley Sanitary Sewer District-Environmental:** Resolution declaring that there will be no significant impact on the environment from the removal of two (2) parcels of property from the Saw Mill Valley Sanitary Sewer District. (234 Lake Street, Pleasantville and 59 Hamilton Drive, Chappaqua). **BA/GO 11/10/08**

A174: **Sewer District Modification-Removal of Parcels-Saw Mill Valley Sanitary Sewer District:** Act to modify the Saw Mill Valley Sanitary Sewer District by the removal of two (2) parcels of property located in the Town of Mount Pleasant. (234 Lake Street, Pleasantville and 59 Hamilton Drive, Chappaqua). **BA/GO 11/10/08**

A175: **Compromise of Claims:** Act authorizing the County Attorney to compromise the claims of Westchester County to be reimbursed for health care expenditures paid to or on behalf of county employees from the proceeds of settlements and/or legal actions against third-party tortfeasors. **BA/CS 11/10/08**

## **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**

B4: **HON. WILLIAM RYAN: Jail Inmate Telephone Systems:** Forwarding correspondence from the New York State Sheriffs' Association, Inc. with regard to jail inmate telephone systems throughout the State of New York, the current contract with AT&T and the Association's role in the process and its share in the revenues. **COMMITTEE REFERRAL: BA/PSS – 2/11/08**

B11: **HON. JUDITH MYERS: Police Academy Training Fees:** Forwarding correspondence from the Village of Mamaroneck Police Department with regard to Police Academy training fees. **COMMITTEE REFERRAL: BA/PSS – 3/11/08**

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**

B13: **HON. KEN JENKINS: Sewer District Modification:** Forwarding a packet of information with regard to a request for a modification to the Peekskill Sanitary Sewer District. (32 Hill and Dale Road, Cortlandt) **COMMITTEE REFERRAL: BA/GO – 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 Association of Receivers of Taxes proposed amendments to the Westchester County Tax Law. **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**

B36: **HON. THOMAS ABINANTI: Clean Water Trust:** Forwarding correspondence from the Construction Industry Council on water infrastructure funding. **BA/EE-10/06/08**

B37: **HON. THOMAS ABINANTI: NYC Green Roofs Tax Incentive:** Forwarding a news article describing New York City's tax incentive for green roofs. **BA/EE-10/06/08**

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**

correspondence requesting the sunset date for provision No. 7 of the CSEA agreement for health retirees benefit be extended to 2011. **BA 10/20/08**

B41: **HON. THOMAS ABINANTI: NYPA Forecasting of Energy Costs:** Forwarding correspondence from the New York Power Authority with regard to the forecasted cost of energy prices this year due to the increase in the cost of natural gas and oil. **BA/E&E 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**

### **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 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**

C101: **Bond Act RP050-Variou Rides and Components (Non Historic):** Act authorizing the County to issue up to Five Hundred Fifteen Thousand (\$515,000) Dollars in bonds to finance Capital Project RP050-Variou Rides and Components (Non-Historic) to fund the rehabilitation of the Big wheel and Log Fume Rides at Playland Park. **BA/GO 11/10/08**

C102: **NHLA Bond Act BPL10-Riverdale Avenue Affordable Housing Project:** Bond Act authorizing the issuance of up to Three Million Five Hundred Fifty Thousand (\$3,550,000) Dollars in bonds to finance Capital Project BPL10-New Homes Land Acquisition. (Riverdale Avenue Affordable Housing Project). **BA/GO 11/10/08**

C103: **HIF Bond Act BPL01-Riverdale Avenue Affordable Housing Project:** Act authorizing the issuance of up to Four Million Six Hundred Thousand (\$4,600,000) Dollars to finance Capital Project BPL01-Housing Implementation Fund. (Riverdale Avenue Affordable Housing Project). **BA/GO 11/10/08**

C104: **Bond Act-RGIP8-B:** Act authorizing the issuance of Three Hundred Thousand (\$300,000) Dollars in bonds to finance Capital Project RGIP8-B, General Infrastructure-Parks Bridges & Dams, for studies related to these dams. **BA/EE 11/10/08**