

**COMMITTEE ON LEGISLATION  
MINUTES APRIL 6, 2009**

<p><b>LEGISLATION MEMBERS IN ATTENDANCE:</b></p>	<p><b>Chair:</b> Burton, <b>Legislators:</b> Myers, Jenkins, Nonna, Harckham, Rogowsky, Bronz</p>
<p><b>ALSO IN ATTENDANCE:</b></p>	<p><b>County Executive:</b> A. Neuman, B. Randolph, <b>Law:</b> M. Nicoles-Brewester, L. Cipolla <b>HRC:</b> D. Brathwaite <b>Board of Legislators Staff:</b> R. Pezzullo, M. Montalto, K. Delgado, J. Sold, B. Dodds, B. Desoye <b>Guests:</b> J. Shenk, J. Ingpen, J. Adin, D. Finger, E. Harckham, K. Tennebaum, A. Annunziata, K. Nilson</p>

With a quorum present, the Committee on Legislation was called to order at 1:43 p.m.

**MINUTES**

Legislator Bronz made a motion, seconded by Legislator Myers, to approve the minutes of March 30, 2009. After discussion, the Motion was approved 6-0.

**BOARDS & COMMISSIONS**

Legislator Bronz made a motion, seconded by Legislator Myers to approve the appointments of Thomas Durkin to the Transportation Board; Dr. Ruth Merkatz to the Board of Health; the reappointments of Barbara Edwards, W. Garrison Jackson, Susan McPherson, and Winston Ross to the African American Advisory Board; Carolyn Pellot to the Citizen Consumer Advisory Council; Ann Loretan to the Community Services Board; Christine Fecko to the Domestic Violence Council; Garry Lynch to the Electrical Licensing Board; David Dawson, Celia Fishman, and Adam Ochs to the Emergency Medical Services Advisory Board, Robert Broderick to the Fire Advisory Board, Joaquin Alemany, Jorge Mejia, Piero Olcese, and Isabel Villar to the Hispanic Advisory Committee; Harry Bright to the Human Rights Commission

The motion was approved with a vote of 6-0.

**SOURCE OF INCOME LEGISLATION**

The Committee continued their previous discussion regarding Legislator Jenkins proposed source of income legislation which would amend the Human Rights Law to prohibit the discrimination of refusing house based on the source of an individual's income.

Legislator Rogowsky suggested changing the language in section 3 of section 700.20, V, (1), to say "the owner owns no more than one such building" instead of "the owner does not own more than one such building" because there are several negatives in the sentence making the language confusing.

Legislator Rogowsky expressed some concerns regarding section 8 vouchers and what the Department of Social Services role currently is if a person is denied or evicted due to a section 8 payment of rent. Legislator Jenkins explained that this legislation does not apply to people who are already placed in a unit; it is for people who are being denied the opportunity to move into one. He stated that the new language of the legislation is consistent with federal law.

Legislator Nonna disagreed with the use of the word gift in section 3, 700.20, v. He stated that a gift is an unreliable income that can end at any time.

Legislator Nonna motioned, and Legislator Rogowsky second, to strike the word gift from section 3, 700.20 V, and replace it with "grant or loan program from a private housing assistance organization". The motion passed with a vote of 7-0.

Albert Annunziata and Daniel Finger of the Builders Institute expressed their concerns about this legislation, stating that it will force building owners to completely change the way they process apartment applications, create new paperwork, and keep every single application they receive in case a complaint is filed with the Human Rights Commission.

Delores Brathwaite, Executive Director of the Human Rights Commission, explained that all claims must be filed with the HRC within one year of the incident, so paperwork would not have to be kept for an extended period of time.

Mr. Annunziata stated that there is a private meeting scheduled the following week between the Builders Institute and Legislators Burton and Jenkins to discuss specific concerns. Legislator Nonna motioned, and Legislator Rogowsky second, to table the vote on the legislation until after the meeting with the Builders Institute is concluded.

Legislator Jenkins stated that there has already been over twenty hours of Committee discussion on this topic and nothing new has been brought to the table. He said that each day that passes that we do not have this legislation in place people in Westchester are being denied housing due to their income source, and with people being laid off in this economy, we cannot afford to delay this legislation any further. Mr. Jenkins continued by stating that nothing new has been brought to the table today, and the Board of Legislators has a process, which would allow any new or still standing concerns to be heard at a public hearing. He said the law would not go into affect for 180 days after it is passed, and that is another 180 days of denying people housing and putting people on the street.

Legislators Nonna and Rogowsky withdrew their motion to table the vote.

Legislator Jenkins motioned and Legislator Bronz second to approve the legislation as amended for all purposes. The Committee agreed to include the previously suggested change to section 3 of section 700.20, V, (1), to say “the owner owns no more than one such building” rather than the previous “the owner does not own more than one such building”.

The motion was approved with a vote of 6-0, with Legislator Nonna voting without prejudice.

Legislator Harckham made a motion to adjourn, seconded by Legislator Bronz. Motion approved 7-0. The Committee adjourned at 2:43 pm.

**AUDIO RECORDING ON FILE FOR REVIEW UPON REQUEST**