

**WESTCHESTER COUNTY BOARD OF LEGISLATORS
COMMITTEE ON BUDGET & APPROPRIATIONS MEETING
JOINT WITH THE COMMITTEE ON GOVERNMENT OPERATIONS
MINUTES April 6, 2009**

MEMBERS B&A: Chair: Jose Alvarado; Legislators: Burton, Harckham, Jenkins, Myers, Rogowsky, Spreckman, Williams

MEMBERS GOVERNMENT OPERATIONS: Chair: Ken Jenkins, Legislators: Bronz, Burton, Harckham, Pinto, Rogowsky, Spreckman, Burrows, Myers

IN ATTENDANCE: **Town of Bedford:** Kevin Winn; **Water Agency:** Gina D'Agrosa; **Planning:** Larry Kelly, Deborah DeLong; Rob Doscher, Jerry Mulligan; **Journal News:** Gerald McKinstry; **CEO:** Bill Randolph, Andrew Neuman, Sal Carrera; **Parks:** Dan McBride, Joe Stout; **Corrections:** Clyde Isley, Joe Spano, Greg Stey; **Greenburgh:** Sonja Brown; **Budget:** Arthur Vietro; **LWW:** Karen Shatzel; **CBAC, LWW:** Barbara Strauss; **CBAC:** Fran MacEachron; **Marathon Development Group:** Mark Soja; Hope Corbin; **Staff:** Sally Schechter

Chair Jenkins of the Committee on Government Operations and as Vice Chair of Budget & Appropriations called both committees to order at 10:15 a.m.

C120 Bond Act Amendment BCR24, phase 2 of County Jail Renovations \$4,770,000: Commissioner Spano said this is for renovations of the 1932 jail. A 2003 study was done to determine whether or not this building was sound and it is. A plan was developed to replace the windows, the electricity, plumbing and HVAC. Legislator Burrows asked about phase 1. It is for approximately \$6 million and the project is still in design. Construction has not yet started. Legislator Rogowsky questioned the County Executive's letter stating that the project would be reviewed by NYPA. He hopes that they are reviewing it now, not after the design is completed. Not only should there be a review of the fiscal impact but there should be an agreement on the energy and environmental impact. Commissioner Spano said he would discuss this with Commissioner

Butler. Chair Jenkins said we need a statement that NYPA is involved and if the Board does not receive it, the item will not be voted on. Legislator Rogowsky went on to explain there is a process. The Budget Committee looks at what has been done in the design phase, checks the cost and Budget should have access to the same documents that DPW has. On the motion of Legislator Burton, seconded by Legislator Myers for Budget & Appropriation, the motion was carried by a vote of 8-0 (Alvarado, Jenkins, Burton, Myers, Harckham, Spreckman, Rogowsky, Williams) and on the motion of Legislator Harckham, seconded by Legislator Spreckman for Government Operations, the motion was carried by a vote of 8-0 (Jenkins, Bronz, Burton, Myers, Harckham, Burrows, Spreckman, Rogowsky).

Legislator Harckham asked what would the impact be on the County with the change in the Rockefeller laws. Commissioner Spano said he will be meeting with Commissioner Pozzi to discuss this but his concern is there will be a need for more funding.

A228 Capital Budget Amendment BPL 26 – Flood Mitigation and C122 – Bond Act for \$900,000: Commissioner Mulligan explained that since the Flood Task Force was formed in June 2007, they have been working with the Army Corps of Engineers and New York State DEC on the General Reevaluation Report for the Mamaroneck and Sheldrake Rivers Basin. Fifty million dollars was set aside in County funding to be made available at \$10 million per year for five years to assist municipalities in dealing with flooding. This project is a very large one and the focus will be on Mamaroneck Village which was hard hit during the 2007 storms. The estimated cost is \$6,650,000. Of this \$500,000 will be paid by the Army Corps and the balance will be paid 75% by the Federal Government and 25% will be non Federal. Of the 25%, the County and DEC will share this – approximately \$768,875 each. The bonding amount is for \$900,000 because it will be over a period of 2-3 years and should there be some soft costs between Planning, Engineering and Law, this should take care of it. Legislator Williams wanted to know why it was necessary for the Budget Committee's approval. Commissioner Mulligan said it was necessary for the County to enter into a partnership and for the approval of the bonding. He said when the County and municipality reach an agreement on this project, Planning will be back as they will expect the municipality to share in the cost of 50-50. Legislator Williams was concerned should the agreement fall apart with the Army Corps and the DEC that are funds are protected. Commissioner Mulligan said he would speak to the Law Department to be sure this is clear. Legislator Rogowsky wanted to know what the construction costs would be. The study will list a series of options which will determine what the cost will be. Legislator Rogowsky pointed out, based on the cost, the County might have to walk away from the project if sufficient funding is not available. On the motion of Legislator Myers, seconded by Legislator

Jenkins, the motion was passed by a vote of 7-0 (Alvarado, Jenkins, Myers, Harckham, Williams, Spreckman, Rogowsky – Legislator Burton was out for the vote). The item has now been given to the Environment and Energy Committee for further discussion.

Chair Jenkins asked for a motion to receive and file Item 270 in Government Operations. It a resolution from Legislator Oros on the Mobility Tax. On the motion of Legislator Pinto, seconded by Legislator Harckham, the motion was approved by a vote of 9-0 (Jenkins, Rogowsky, Burton, Myers, Pinto, Spreckman, Bronz, Harckham, Burrows).

C116 Bond Act (RLPO40) Playland Park Administration Building Rehabilitation for \$1,100,000. This is for the design and construction of the building exterior. There has been no capital project since 1960. The work will include a new roof with the air conditioning coming off the roof and being placed on the ground and new windows. On the motion of Legislator Williams, seconded by Legislator Myers for Budget & Appropriation, the motion was passed by a vote of 8-0 (Alvarado, Jenkins, Myers, Harckham, Williams, Spreckman, Rogowsky, Burton) and on the motion of Legislator Pinto, seconded by Legislator Myers for Government Operations, the motion was passed by a vote of 8-0 (Jenkins, Bronz, Myers, Harckham, Pinto, Spreckman, Rogowsky, Burton).

On the motion of Legislator Pinto, seconded by Legislator Spreckman, Government Operations was adjourned at 11:01 a.m.

A227 IMA Town of Greenburgh and Fairview Housing and C121 Bond Act BPL01 Fairview Housing \$2,070,000): This project was a Mitchell Lama Project that was purchased by Fairview Housing. Legislator Williams asked about tax credits and a discussion ensued about the credits and IDA bonding. There are some concerns in Greenburgh – the tax exempt status. The tax exemption is in the form of a PILOT. The rents range from \$1500 to \$1700. Some tenants have moved out because of the rent but it does include free parking and all utilities, not telephone nor cable. Legislator Rogowsky commented that this was against our energy policy having electricity included in the rent. The developer had checked into having a meter in every apartment but it cannot be done. There are Federal rules that need to be followed when they are receiving taxpayer credits. On the motion of Legislator Jenkins, seconded by Legislator Williams for Budget & Appropriations, the motion was carried by a vote of 8-0 (Alvarado, Jenkins, Burton, Myers, Harckham, Williams, Spreckman, Rogowsky). This had previously (March 31, 2009) been signed out by Government Operations by a vote of 8-0 (Jenkins, Bronz, Burton, Harckham, Burrows, Spreckman, Pinto, Rogowsky).

A233 Conveyance of Parcels, Environmental Resolution and A234 Conveyance of Parcels: There are thirteen pieces of property. Letters of first refusal have been sent to the various municipalities. Mt. Vernon is purchasing one of the parcels for a dedicated park and the other parcels are being sold to people living adjacent to the property who have been paying rent in the past. On the motion of Legislator Jenkins, seconded by Legislator Williams for Budget & Appropriations, the motion was carried by a vote of 8-0 (Alvarado, Jenkins, Burton, Myers, Harckham, Williams, Spreckman, Rogowsky). On March 30, 2009, the Committee on Environment and Energy signed this out by a vote of 5-0 (Abinanti, Harckham, Myers, Nonna, Kaplowitz) and on March 31, 2009, Government Operations signed this out by a vote of 7-0 (Jenkins, Bronz, Burton, Harckham, Burrows, Spreckman, Pinto).

A229 East of Hudson Hallocks Mill Sewer District Town of Yorktown and A230 IMA Town of Yorktown \$88,000: Gina D'Agrosa, Water Master was introduced. The Committee received the annual status report on East of Hudson Funds which is a summary of the \$38 million that the County received in 1997. The funds that have been expended can be found under "authorized expenditures" for a total of \$14,446,122. There is an available fund balance as of December 2008 of approximately \$50 million. There are 5 priority wastewater projects. Peach Lake has been advanced with a \$10 million authorization and that leaves 4 projects with \$40 million to be allocated. The projects are Hallocks Mill Sewer District, Town of Yorktown; Riverwoods and Random Farms WWTP and Stanwood and Yeshiva, Town of New Castle; Bedford Hills/Katonah in the Town of Bedford and Lake Shenorock in the Town of Somers. There is \$3,750,000 that has not moved forward. There are approximately 1000 homes in the Hallocks Mill Sewer District that are not sewered. This study is necessary to determine which homes will be sewered. Legislator Jenkins wanted to know if New York City had to add money to the East of Hudson Funds. Ms. D'Agrosa said they have added money to various projects but she is not aware of their adding money to the Fund. On the motion of Legislator Harckham, seconded by Legislator Jenkins for Budget & Appropriations, the motion was carried by a vote of 8-0 (Alvarado, Jenkins, Burton, Myers, Williams, Harckham, Spreckman, Rogowsky) This was signed out on April 3, 2009 by the Committee on Environment and Energy by a vote of 5-0 (Abinanti, Kaplowitz, Myers, Nonna, Harckham).

A231 East of Hudson Funds – Town of Bedford and A232 IMA East of Hudson with Town of Bedford \$65,000: On the motion of Legislator Harckham, seconded by Legislator Jenkins for Budget & Appropriations, the motion was carried by a vote of 8-0 (Alvarado, Williams, Jenkins, Burton, Myers, Harckham, Spreckman, Rogowsky). This was signed out on April 3, 2009 by the Committee on Environment & Energy by a vote of 5-0 (Abinanti, Harckham, Kaplowitz, Myers,

Nonna).

A236 – Ready Reserve Salary & Benefit Extender: Commissioner Zeman said that last year there were eight people in the military service and this year there are four County employees. On the motion of Legislator Jenkins, seconded by Legislator Harckham, the motion was carried by a vote of 7-0 (Alvarado, Spreckman, Williams, Rogowsky, Myers, Burton, Jenkins).

On the motion of Legislator Myers, seconded by Legislator Rogowsky, Item A235, the acceptance of a gift of 2 Heckler and Koch 9 mm firearms from the Town of Bedford Police Department was received and filed.

On the motion of Legislator Jenkins, seconded by Legislator Burton, the minutes of June 23, 2008 and March 16, 2009 were approved.

On the motion of Legislator Myers, seconded by Legislator Burton, the Committee on Budget & Appropriations was adjourned at 11:47 a.m.