

**WESTCHESTER COUNTY BOARD OF LEGISLATORS
COMMITTEE ON BUDGET & APPROPRIATIONS MEETING
JOINT WITH THE COMMITTEE ON GOVERNMENT OPERATIONS
MINUTES JUNE 1, 2009**

MEMBERS B&A: Acting Chair: Ken Jenkins, Legislators:
Burton, Harckham, Kaplowitz, Rogowsky,
Spreckman, Oros, Myers, Williams

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

IN ATTENDANCE: **ERA:** Molly McKay; **Parks:** Peter Tartaglia,
Dan McBride, Joe Stout; **DOT:** Larry Salley,
DPW: Ralph Butler; **Finance:** Mario Nardi,
Kathy Thorsberg, Mario Arena; **Budget:**
Arthur Vietro; **CEO:** Andrew Neuman, Bill
Randolph; **Law:** Stacey Dolgin-Kmetz, Jeff
Goldman, James Robertson; **CBAC, LWVW:**
Barbara Strauss; **Regis University:** Cindy
Davis; **Staff:** Sally Schechter; Hope Cobrin

In the absence of Chair Alvarado, Acting Chair Jenkins called the Committee on Budget & Appropriations to order at 10:10 a.m. and as Chair of Government Operations, he called the Committee on Government Operations to order at 10:10 a.m.

A247 – Outside Counsel – Kaplan, Kirsch & Rockwell \$100,000:
Assistant Chief Deputy County Attorney Jim Robertson explained this is a renewal of the Kaplan Kirsch contract. They are used for various legal issues pertaining to the Airport because they specialize in airport law and they practice before the Federal Aviation Administration. They originally billed us at \$350 an hour and in 2007 they increased the billing to \$375 per hour and it has remained at that rate. Legislator Kaplowitz wanted to know what the estimated billings would be for 2009. Mr. Robertson said we have never gone over the not to exceed amount. Inasmuch as the contract begins June 1, it is

difficult to say how much we will spend. Legislator Kaplowitz requested that this be amended to \$50,000 even though it will be coming out of the Enterprise Fund and if more money is needed, Commissioner Salley can come to the Board again. The Commissioner pointed out that there were three or four projects on the horizon. Last year we spent \$56,500. On the motion of Legislator Kaplowitz for Budget & Appropriations to amend the contract to \$75,000, seconded by Legislator Myers, the motion was carried by a vote of 7-0 (Jenkins, Rogowsky, Kaplowitz, Myers, Harckham, Oros, Spreckman)

A252 Grant Agreement A056B Heavy Equipment Acquisition and A253 Capital Budget Amendment – A056B Heavy Equipment: This is to fund an aircraft deicing vehicle and a ramp vacuum truck. The total amount of the amendment is \$550,000. The grant total is \$522,500. Of this amount \$495,000 would come from the FAA, \$27,500 would come from the NYSDOT and the County would contribute approximately \$27,500 from the Airport Special Fund. Legislator Myers wanted to know what was done with the fluid that was collected. It is collected, put into a storage tank and then trucked from the airport. The trucking company collects the fluid and when they have a high enough concentration, they will sell it. Legislator Oros wanted to know if the airlines are charged for the deicing and they are. On the motion of Legislator Harckham, seconded by Legislator Oros for Budget Appropriations, the motion was carried by a vote of 8-0 (Jenkins, Rogowsky, Burton, Kaplowitz, Myers, Harckham, Spreckman, Oros). On the motion of Legislator Myers, seconded by Legislator Pinto, for Government Operations, the motion was carried by a vote of 9-0 (Jenkins, Rogowsky, Burton, Myers, Harckham, Burrows, Pinto, Bronz, Spreckman).

A255 Grant Agreement A0104 Environmental Monitoring System and A256 Capital Budget Amendment A0104 Environmental Monitoring System: This is to increase the Capital Budget by \$250,000. We would receive approximately \$225,000 from the FAA and \$12,500 from the NYSDOT. The County would contribute approximately \$12,500 from the Airport Special Revenue Funds which would be used to upgrade the Airport Noise and Operations Monitoring System from software version 6.7 to version 8 and to install new noise monitors in Briarcliff Manor and in Pound Ridge. Legislators

Harckham and Burton were happy with the addition of these monitors in their districts. Legislator Rogowsky wanted to know if there was some way to measure the noise other than the use of these monitors. Commissioner Salley said the monitors are very good at deciphering the noise levels but the FAA standards are the problem. On the motion of Legislator Harckham, seconded by Legislator Burton for Budget & Appropriations, the motion was carried by a vote of 8-0 (Jenkins, Rogowsky, Burton, Harckham, Kaplowitz, Myers, Spreckman, Oros). This was now referred to the Committee on Environment and Energy.

A254. Grant Agreement – A050C - Security Fencing/Cameras: The total project would cost \$500,000. This would replace approximately 1,500 linear feet of airport perimeter along Route 120. A grant would be received from the FAA for approximately \$450,000 and a grant from the NYSDOT of \$25,000. Approximately \$25,000 would come from the Airport Special Revenue Funds. The fence would be 8 foot high with a raised wire of 3 feet on top of that. The concern is the bird strikes, deer and coyotes. On the motion of Legislator Rogowsky, seconded by Legislator Harckham for Budget & Appropriations, the motion was passed by a vote of 8-0 (Jenkins, Rogowsky, Burton, Kaplowitz, Myers, Harckham, Spreckman, Oros) and on the motion of Legislator Pinto, seconded by Legislator Burton for Government Operations, the motion was passed by a vote of 9-0 (Jenkins, Rogowsky, Burton, Myers, Harckham, Burrows, Pinto, Bronz, Spreckman)

C136. Bond Act B0083 Salt Storage Shed, Lake Street Road Maintenance: This bonding is for a total of \$675,000 to design and construct a new salt storage shed which will be 2,000 square feet and have a capacity for 1,000 tons of ice melting salt. Presently there are two smaller salt sheds with a total capacity of 500 tons that are not enclosed. With new regulations, we need to enclose the shed as we are within 100 yards of the Mamaroneck River. Legislator Oros mentioned that where 684 and 287 meet, the NYSDOT has a shed and is it possible for us to use their shed and buy salt from them. Commissioner Butler has not checked with them but he has checked with the local municipalities surrounding us and they do not have the capacity to store the amount we order. In fact we have loaned them salt when they have run out. Legislator Pinto asked the

Commissioner to please check with the DOT about the possibility of sharing their shed. This was not acted on.

C138. Bond Act RB108 North Broadway, C.R. 87 White Plains: This is bonding for \$250,000 for the design of 1.51 miles. There are 28,000 cars that use this road a day. The work will be milling and resurfacing with asphalt, replacing the concrete curb as required, adjusting all utility and drainage structures and installing pavement markings. Legislator Kaplowitz said that Rockland recycles the roads and wanted to know if we do. Commissioner Butler said we reuse the milling for the shoulders and some of the milling goes back into the asphalt. We are trying something new this year called warm asphalt which is more environmentally sensitive. Legislator Kaplowitz wanted to know if we use Hot in Place Recycling. Commissioner Butler said no as we have catch basins and in the northern part of the County they do not. He also said it has a down side in that it is extremely hot and it kills all the trees and shrubs along side the road. Legislator Kaplowitz asked the Commissioner to please check into this company and he said he would. Legislator Pinto suggested that the Government Operations Committee discuss this. On the motion of Legislator Rogowsky, seconded by Legislator Burton for Budget & Appropriations, the motion was carried by a vote of 8-0 (Jenkins, Rogowsky, Burton, Kaplowitz, Myers, Harckham, Spreckman, Oros) and on the motion of Legislator Pinto, seconded by Legislator Bronz for Government Operations, the motion was carried by a vote of 9-0 (Jenkins, Rogowsky, Burton, Myers, Harckham, Burrows, Pinto, Bronz, Spreckman).

C139. Bond Act RB107 North Street, C.R. 30 and 30A, White Plains: This is for \$420,000 for the design of 2.52 miles. The work will include milling existing asphalt concrete pavement, filling and sealing joints and cracks, resurfacing with asphalt, adjusting all existing roadway castings and catch basins, replacing curb as needed, installing two new in-pavement bus pads, and installing new pavement markings. There are 12,059 cars that use this road a day. On the motion of Legislator Burton, seconded by Legislator Rogowsky for Budget & Appropriations, the motion was carried by a vote of 8-0 (Jenkins, Rogowsky, Burton, Kaplowitz, Myers, Harckham, Spreckman, Oros). On the motion of Legislator Pinto, seconded by Legislator Bronz for Government Operations, the motion

was carried by a vote of 9-0 (Jenkins, Rogowsky, Burton, Myers, Harckham, Burrows, Pinto, Bronz, Spreckman).

C141. Bond Act Amendment (RB102) Palmer Road and Access Ramps, C.R. 9,33II & 33III: Previously \$250,000 in bonds was issued to fund the cost of design. Now a request is being made to amend the bonding to \$2,350,000 which includes the \$250,000. This amendment is for the design, construction and construction management to rehabilitate 1.98 miles. On the motion of Legislator Spreckman, seconded by Legislator Burton for Budget & Appropriations, the motion was carried by a vote of 8-0 (Jenkins, Rogowsky, Burton, Kaplowitz, Myers, Harckham, Spreckman, Oros) and on the motion of Legislator Burrows, seconded by Legislator Rogowsky for Government Operations, the motion was carried by a vote of 9-0 (Jenkins, Rogowsky, Burton, Myers, Harckham, Burrows, Bronz, Spreckman, Pinto).

C143. Bond Act RB119 Banksville Road, Bedford: This is for \$770,000 which will fund the design, construction management and construction of 1.51 miles. The work will include milling of existing pavement, resurfacing the road with asphalt as well as concrete repairs and waterproofing to the bridge over the Mianus River. There are 5,462 cars using this road daily. On the motion of Legislator Harckham, seconded by Legislator Kaplowitz for Budget & Appropriations, the motion was carried by a vote of 8-0 (Jenkins, Rogowsky, Burton, Kaplowitz, Myers, Harckham, Spreckman, Oros). On the motion of Legislator Spreckman, seconded by Legislator Bronz for Government Operations, the motion was carried by a vote of 9-0 (Jenkins, Rogowsky, Burton, Myers, Harckham, Spreckman, Burrows, Pinto, Bronz).

There were no other items in Government Operations. On the motion of Legislator Spreckman, seconded by Legislator Myers, Government Operations was adjourned at 11:13 a.m.

On the motion of Legislator Burton, seconded by Legislator Myers, the Budget & Appropriations minutes of May 18, 2009 were approved.

A266. Act Revised Investment Policy: The Finance Department would like to add a few banks to their approved list of banks as the smaller banks are offering better interest rates than the larger ones. Legislator Kaplowitz asked what interest rate are we receiving now. He also asked about NY Class but was told that the Finance Department has not been checking on it as the Board of Legislators never signed it out giving the Finance Department permission to use it. Legislator Kaplowitz asked them to look into it should we desire to use it in the future. Even though there is a list of 14 banks. Finance usually only uses one or two banks, depending on the interest rate. On the motion of Legislator Kaplowitz, seconded by Legislator Burton for Budget & Appropriations, the motion was carried by a vote of 7-0 (Jenkins, Burton, Kaplowitz, Myers, Harckham, Spreckman, Rogowsky).

On the motion of Legislator Burton, seconded by Legislator Kaplowitz, Budget & Appropriations was recessed at 11:25 a.m. while the Parks Department set-up their presentation.

On the motion of Acting Chair Jenkins, Budget & Appropriations went back into session at 11:30 a.m.

Commissioner Stout introduced his staff and Molly McKay from Economics Research Associates (ERA) who discussed their report "Rye Playland Fiscal and Economic Impact Analysis." He said that ERA has done studies in the past as per Playland's Master Plan. Ms. McKay said ERA has been working on the plan for nine months and the legislators will be impressed with the economic benefits of Playland Park. She explained that ERA is a fifty year old national consulting firm employing 100 people in seven offices. It is more than an entertainment consulting firm. They also consult with hotels, resorts, and traditional residential communities. The majority of the work they do is economic impact analysis. She pointed out that Playland is a significant component of Westchester's Tourism. She said Playland attracts 840,000 visitors annually and to keep them coming back, Playland requires capital improvements. Visitors spend approximately \$17.5 million on-site and off-site. Legislator Myers suggested more advertising in areas such as Connecticut. The Legislators thanked Ms. McKay for the report.

A267 IMA City of Mount Vernon and County of Westchester to provide Youth Programs: The amount is \$174,000 which will provide for the Youth Empowerment program, Safe Haven Summer Camp and After School Program, and Step up Program. Legislator Williams explained that Mt. Vernon did not receive funding from Invest in Kids this year. Legislators Kaplowitz and Myers wanted to know where the funding was coming from. It is coming from the 2008 reserve. They wanted to know what will happen next year. And why did they not receive the Invest in Kids funding. Legislator Williams said there were problems with the Youth Board leadership in Mt. Vernon – there was a new head at the Mt. Vernon Youth Board and they did not know to contact the County Youth Bureau for the proper paperwork. On the motion of Legislator Williams, seconded by Legislator Spreckman, the motion was passed by a vote of 8-0 (Jenkins, Rogowsky, Myers, Williams, Spreckman, Harckham, Burton Kaplowitz (without prejudice)).

On the motion of Legislator Williams, seconded by Legislator Myers, the Committee on Budget & Appropriations was adjourned at 12:29 p.m.