

**COMMITTEE ON LEGISLATION
MINUTES: MARCH 29, 2010**

LEGISLATION

MEMBERS:

Chair: Nonna; Legislators: Myers, Ryan, Burton, A. Williams, Harckham, Maisano, Pinto, Rogowsky, Abinanti, Burrows, Jenkins

IN ATTENDANCE:

CE: K. Delgado **LAW:** J. Adin **BOL:** B. DeSoye, C. Giliberti, M. Berard, P. Pepe, B. Dodds, C. Crane, M. Montalto **Guests:** none

MINUTES:

With a quorum present, the Committee on Legislation was called to order at 1:40 p.m.

Chairman Nonna asked Chairman of the Board of Legislators Ken Jenkins to discuss his proposal to amend Local Law 570.02 requiring a Compensation Advisory Board Committee be established at the beginning of each new term. Chairman Jenkins stated that the Board has no intention of changing their compensation this year, and feels this Advisory Board should be optional based on the consideration of changing compensation. The proposal states that if the Board would like to change its compensation a Compensation Advisory Board must then be established and members are chosen no later than July 1st of any calendar year.

A discussion ensued regarding the need for the Advisory Board, how it keeps the onuses of compensation off of the Legislators and what changes can be made which would make all of the members comfortable with the solution. The Committee agreed to amend the Legislation to exempt the current term from the requirement of the Law, to allow further review of the proper course to take on this issue at a later date. A new draft will be made by the Law Department and brought back to Committee for a vote.

Legislators Abinanti and Maisano presented their proposal to protect property owners from the misuse of eminent domain. A discussion ensued regarding the need for eminent domain. Chairman Nonna asked that the report: "Building Empires, Destroying Homes" be distributed to the Committee. Chairman Nonna asked that the Committee look at the Atlantic Yards decision, and asked for a report from the County Attorney on sections 24 subdivision 2D and section 34 3G of the municipal home rule law. Chairman Nonna suggested that another meeting be scheduled where any parties that would like to comment be invited to speak, including the Westchester Municipal Officials Association, the administration, the IDA, and anyone else that would like to speak. Chairman Nonna asked that the County Attorney provide an opinion on a clause in the proposal which would allow a private citizen to bring an action to enforce the provisions of the county law, section 644.05.

Moved by Legislator Harckham seconded by Legislator Pinto the minutes of the March 15th and March 22nd, 2010 passed with a vote of 9-0.

Moved by Legislator Pinto seconded by Legislator Myers the Committee on Legislation adjourned at 3:08 p.m. with a vote of 9-0.

AUDIO RECORDING ON FILE FOR REVIEW UPON REQUEST