

COMMITTEE ON BUDGET
& APPROPRIATIONS

December 1, 2009
9:30 A.M.

AGENDA

**APPROVAL OF MINUTES:
RECEIVE & FILE:**

ITEMS FOR DISCUSSION:

Discussion of Correction's Operating Budget & Capital Budget
Discussion of Probation's Operating Budget

C157. **Bond Act-RMS01-Merestead Site Improvements:** (BOND) Act authorizing the issuance of Four Hundred Thousand (\$400,000) Dollars in bonds to finance Capital Project RMS02-Merestead Site Improvements. **BA/GO 7/7/09**

A352. **Act-Settlement Approval-DiBattista:** Act approving a settlement in the matter entitled DiBattista, et al. v. County of Westchester, et al. **BA 11/9/09**

A353 **Jackson, Lewis-Increase Not-To Exceed Amount (DiBattista):** Act authorizing an increase in the not to exceed amount in the contract between the County of Westchester and the Law Firm of Jackson, Lewis for a total not to exceed of \$150,000 so that this firm can continue to represent the interests of the County of Westchester and County Executive Andrew J. Spano in appealing the decision rendered in the action entitled DiBattista, et al. v. County of Westchester, Et Al. **BA 11/9/09**

C198. **Bond Act- Settlement of Litigation-DiBattista:** (BOND) Act authorizing the issuance of One Million Two Hundred Thousand (\$1,200,000) Dollars in bonds to fund costs related to the settlement of litigation entitled Carmine DiBattista, et al. v. County of Westchester. **BA 11/9/09**

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. **BA/GO – 1/22/08**

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**
Recommitted

A244. **Resolution to Set a Public Hearing-Sewer District Modification (2657 Stony**

Street): Resolution to set a Public Hearing on an act to modify the Peekskill Sanitary Sewer District by the addition of one (1) parcel of property located in the Town of Yorktown (2657 Stony Street). **BA/GO 4/13/09**

A245. **Sewer District Modification-Town of Yorktown (2657 Stony Street)**: Act modifying the Peekskill Sanitary Sewer District by the addition of One (1) parcel of property located in the Town of Yorktown (2657 Stony Street). **BA/GO 4/13/09**

A257. **WCC-Agreement-Employees (CSEA)**: Act approving certain financial terms and conditions of employment requiring legislative approval by law in a collective bargaining agreement for those employees of Westchester County represented by the Civil Service Employees Association, Inc. Local 1000, AFCME, AFL-CIO Westchester Local 860 Westchester County Unit 9202 for the four year period commencing January 1, 2006 and ending December 31, 2009. **BA/GO 5/11/09**

A258. **WCC-Agreement-Federation of Teachers**: Act approving certain financial terms and conditions of employment requiring Legislative approval by law in a Collaborative Bargaining Agreement for those employees of Westchester County represented by the Westchester Community College Federation of Teachers for the three years commencing September 1, 2008 and ending August 31, 2011. **BA/GO 5/11/09**

A312. **Surplus Property-19 Bradhurst Avenue-Town of Mount Pleasant**: Act determining that the property located at 19 Bradhurst Avenue, consisting of approximately 1.8 acres in the Town of Mount Pleasant and designated as part of Lot1, Block 1 on Sheet 117.05 on the tax maps of the Town is surplus property. **BA/GO 9/8/09**

A315. **Capital Budget Amendment-SY14A-Yonkers Joint Wastewater Treatment Plant-ADG Fueled Engine Generator**: Act amending the 2009 County Capital Budget by creating Capital Project SY14A-Yonkers Joint Wastewater Treatment Plant-ADG Fueled Engine Generator. **BA/GO/EE 9/8/09**

A328. **Environmental Resolution- BES07-Food Storage and Distribution Warehouse**: Resolution finding that there will be no significant impact on the environment from the construction of the County Food Storage and Distribution Warehouse project (BES07). **BA/CS/EE/PSS 9/21/09**

A329. **Capital Budget Amendment-BES07 Food Storage and Distribution Warehouse**: Act amending the County 2009 Capital Budget by increasing the appropriations for Capital Project BES07-Food Storage Warehouse. **BA/CS/EE/PSS 9/21/09**

A336. **Environmental Resolution-60 West 1St Street-Mount Vernon**: Resolution determining that there will be no significant adverse impact on the environment from the development of a fair and affordable housing development to be located at 60 West 1st Street in the City of Mount Vernon. **BA/GO 10/19/09**

A337. **Property Purchase-60 West 1St Street-MV**: Act authorizing the County of Westchester to purchase and subsequently convey approximately 0.45 acres of real property in the City of Mount Vernon for the purpose of providing 43 fair and affordable

rental units that will remain affordable for a period of not less than 50 years. **BA/GO 10/19/09**

A338. **HIF Act-IMA-60 West 1St Street-Mount Vernon:** Act authorizing the County of Westchester to enter into an agreement with the City of Mount Vernon for the provision of funds to construct or develop public improvements associated with the development of a Housing Implementation fund project known as 60 West 1st Street Affordable Housing Development in the City of Mount Vernon and to accept a grant at no cost to the County of all necessary property rights. **BA/GO 10/19/09**

A348. **Capital Budget Amendment-B042A-Roof Replacement Program (2007-2011):** Act amending the 2009 County Capital Budget by increasing the appropriation for Capital Project B042A-Roof Replacement Program (2007-2011). **BA/GO/EE 11/9/09**

A352. **Act-Settlement Approval-DiBattista:** Act approving a settlement in the matter entitled DiBattista, et al. v. County of Westchester, et al. **BA 11/9/09**

A353 **Jackson, Lewis-Increase Not-To Exceed Amount (DiBattista):** Act authorizing an increase in the not to exceed amount in the contract between the County of Westchester and the Law Firm of Jackson, Lewis for a total not to exceed of \$150,000 so that this firm can continue to represent the interests of the County of Westchester and County Executive Andrew J. Spano in appealing the decision rendered in the action entitled DiBattista, et al. v. County of Westchester, Et Al. **BA 11/9/09**

A356 **Water District No.3-Environmental Resolution-WD302:** Resolution determining that there will be no significant adverse impact on the environment from the project entitled County Water District No. 3-Water Distribution System Improvements-WD302. **BA/GO/E&E 11/9/09**

A357 **IMA-County Water District No. 3-WaterDistribution Improvements-WD302:** Act authorizing the County of Westchester to enter into an intermunicipal agreement with the Town of Mt. Pleasant in order to facilitate construction of a new interconnection to the Town's pipeline, as well as construction of a County-owned transmission pipeline and pump station to serve Water District No. 3 and to accept grant(s) to the county of any and all necessary property rights. **BA/GO/E&E 11/9/09**

(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) **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. **LEG/BA – 1/22/08**

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. **BA/LEG – 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. **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*. **BA/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**

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**

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

B45. **HON. MICHAEL KAPLOWITZ: Department of Investigations:** Proposed Local Law adding Chapter 159 to the Laws of Westchester County to establish a Department of Investigations. **BA/LEG 11/24/08**

B48 **HON. JUDITH MYERS: Economic Recovery Investment in Long Island Sound:** Packet of information from the Citizens Advisory Committee of the Long Island Sound Study with regard to the Economic Recovery Investment in Long Island Sound. **BA/CS 1/21/09**

B53. **HON. MICHAEL KAPLOWITZ & HON. GEROGE OROS: Opposing MTA Tax:** Town of Yorktown Resolution opposing any MTA tax. **BA 3/5/09**

B54. **HON. THOMAS ABINANTI & HON. LOIS BRONZ: Kingsland Point Park:** Correspondence from Legislator Abinanti and Legislator Bronz requesting the Legislature and the County Executive initiate the appropriate actions to consider approval of a \$2 million line item in the County's Capital Budget for the Kingsland Point Park proposal. **BA 3/5/09**

B55. **CLERK OF THE BOARD: Stimulus Plan:** Correspondence from Yonkers Mayor Amicone to President Obama with regard to his proposed Stimulus Plan. **BA 3/5/09**

B56. **LEGISLATORS: BRONZ, MYERS, PINTO: Greenburgh Police Firearms:** Correspondence from Greenburgh Police Chief, Kapica regarding fees currently charged for the use of the firing range. **BA/PSS 3/23/09**

B57. **HON. PETER HARCKHAM: North Salem-Increase in Insurance Costs:** Forwarding correspondence from Town of North Salem Supervisor Warren Lucas regarding a provision in the recently enacted Deficit Reduction Plan (DRP) and a provision in the Governor's proposed 2009-10 State Budget which will substantially increase insurance costs for the Town of North Salem. **BA 3/23/09**

B59. **HON. MICHAEL KAPLOWITZ: Payments to Ardsley School District:** Correspondence from Town of New Castle Town Supervisor, Barbara Gerrard requesting that the taxpayers of the Ossining School District receive the same benefits that are being provided to the Ardsley School District. **BA 6/8/09**

B60. **HON. WILLIAM RYAN: RP-412A-Amended PILOT Agreement:** Forwarding a copy of the amended PILOT Agreement between the City of Peekskill Industrial Development Agency and the Giuliante Family Limited Partnership. **BA 6/8/09**

B61. **HON. KEN JENKINS: County Road Consolidation:** Forwarding a memo from Legislator Kaplowitz regarding County Road Consolidation. **BA/GO 7/7/09**

B62. **HON. KEN JENKINS AND HON. JOSE ALVARADO : Restoration of the Kingsland Point Bathhouse:** Forwarding correspondence from Groundwork Hudson Valley supporting County funding for restoration of the Kingsland Point Bathhouse and its transformation into the Kathryn Davis RiverWalk Center. **BA/ GO/ EE 7/7/09**

B63. **HON. THOMAS ABINANTI: Kathryn Davis RiverWalk Center:** Forwarding

correspondence from the Croton Watershed Clean Water Coalition supporting expending County funds to restore the Kingsland Point Bathhouse and transform it into the Kathryn Davis River Walk Center. **BA/GO/EE 7/7/09**

B64. **HON. THOMAS ABINANTI: Kingsland Point Bathhouse:** Forwarding correspondence from the Bedford Audubon Society supporting expending County funds to restore Kingsland Point Bathhouse and transform it into the Kathryn Davis River Walk Center. **BA/GO/EE 8/10/09**

B65. **HON. THOMAS ABINANTI: Kingsland Point Bathhouse:** Forwarding correspondence from Lucy Rockefeller Waletzky M.D. supporting Westchester County expending the necessary funds to fully restore the Kingsland Point Bathhouse and transform it into the Kathryn Davis River Walk Center. **BA/GO/EE 8/10/09**

B66. **HON. THOMAS ABINANTI: Kingsland Point Bathhouse:** Forwarding correspondence from John Bertles supporting Westchester County expending the necessary funds to fully restore the Kingsland Point Bathhouse and transform it into the Kathryn Davis River Walk Center. **BA/GO/EE 9/8/09**

B67. **HON. THOMAS ABINANTI: Kingsland Point Bathhouse:** Forwarding correspondence from Katherine Hite supporting Westchester County expending the necessary funds to fully restore the Kingsland Point Bathhouse and transform it into the Kathryn Davis River Walk Center. **BA/GO/EE 9/8/09**

B68. **HON. KEN JENKINS: Financial Assistance For Funeral Costs:** Forwarding correspondence from The Greater New York Funeral Directors Association requesting DSS review its payment cap of \$1200 for funeral services for eligible descendents and consider raising it to \$3500. **BA/CS 9/21/09**

B69. **HON. MICHAEL KAPLOWITZ: Metropolitan Commuter Transportation District Mobility Tax:** Forwarding a Town of Yorktown Resolution requiring the Town's Receiver of Taxes set forth by notation or separate line, the tax due attributable to the Metropolitan Commuter Transportation District Mobility Tax Bill. **BA 9/21/09**

B70. **HON. KEN JENKINS: AFL-CIO Central Labor Body-Affordable Housing:** Forwarding correspondence from the Westchester-Putnam Counties AFL-CIO Labor Body supporting the proposed Westchester affordable housing initiative. **BA/GO 9/21/09**

B71. **HON. JUDITH MYERS: Food Storage and Distribution Warehouse:** Forwarding correspondence from the Living Transformation Intl. Center in support of the construction of a County food storage and distribution warehouse. **BA/CS/E&E/PSS 11/9/09**

B72. **HON. JUDITH MYERS: Food Storage and Distribution Warehouse:** Forwarding correspondence from the Westchester-Putnam Counties AFL-CIO Central Labor Body in support of the construction of a County food storage and distribution warehouse. **BA/CS/E&E/PSS 11/9/09**

B73. **HON. MARTIN ROGOWSKY-Sewer District Modification-59 Kenilworth Road:** Forwarding a Harrison Town Board resolution authorizing the request of Robert Miller to

withdraw his application requesting to be removed from the Mamaroneck Valley Sewer District. (59 Kenilworth Road, Rye) **BA/GO 11/9/09**

B74. **HON. MICHAEL KAPLOWITZ: Transfer of County Roads:** Forwarding a proposed Resolution directing the Department of Public Works to submit a plan to the Board of Legislators for the transfer of County Roads to local municipalities to operate and maintain. **BA/GO 11/9/09**

C) BOND ACTS:

C111. **Bond Act RM102-Marshland/Jay Property Site Work:** (Bond) Act authorizing the County of Westchester to issue up to Six Hundred Thousand (\$600,000) Dollars in bonds of the County to finance capital project RM102-Marshlands/Jay Property Site Work **BA/GO 2/2/09**

C135. **Bond Act (B042A)-Roof Replacement Program:** Act authorizing the issuance of One Million Five Hundred Fifty Thousand (\$1,550,000) Dollars in bonds for capital project B042A-Roof Replacement Program, Various Locations. **BA/GO 4/27/09**

C140. **Bond Act (B0084)-Installation of Emergency Generators at Various Locations:** (BOND) Act authorizing the issuance of Five Hundred Forty Thousand (\$540,000) Dollars in bonds for capital project B0084-Installation of Emergency Generators at 143 Grand Street, White Plains; 25 Moore Avenue, Mt. Kisco; 750 Washington Avenue, Peekskill; Valhalla Garage; Brockway Garage and Lake Street Garage. **BA/GO 5/11/09**

C153. **Bond Act-RMH01-Miller Farm House Restoration:** (BOND) Act authorizing the issuance of One Million Three Hundred Thousand (\$1,300,000) Dollars in bonds to finance capital project RMH01-Miller Farmhouse. **BA/GO 6/8/09**

C157. **Bond Act-RMS01-Merestead Site Improvements:** (BOND) Act authorizing the issuance of Four Hundred Thousand (\$400,000) Dollars in bonds to finance Capital Project RMS02-Merestead Site Improvements. **BA/GO 7/7/09**

C165. **Bond Act-RGC05 Mohansic Golf Course Rehabilitation:** (BOND) Act authorizing the issuance of Three Hundred Thousand (\$300,000) Dollars in bonds to finance Capital Project RGC05-Mohansic Golf Course Rehabilitation. **BA/GO 8/10/09**

C169. **Bond Act-SPK12-Peekskill Wastewater Treatment Plant:** (BOND) Act authorizing the issuance of Nine Hundred Seventy Five Thousand (\$975,000) Dollars in bonds to finance Capital Project SPK12-Peekskill Wastewater Treatment Plant, Mechanical, Sludge Handling Upgrades. **BA/GO 8/10/09**

C175. **Bond Act-BPS11-Heavy Equipment:** (Bond) Act authorizing the issuance of One Hundred Ten Thousand (\$110,000) Dollars in bonds to finance Capital Project BPS11-Heavy Equipment. **BA/GO 9/8/09**

C176. **Bond Act-SY14A-Yonkers Joint Wastewater Treatment Plant-ADG Fueled Engine Generator:** (Bond) Act authorizing the issuance of Nine Million Eight Hundred Thousand (\$9,800,000) Dollars in bonds to finance Capital Project SY14A-Yonkers Joint Wastewater Treatment Plant-ADG Fueled Engine Generator. **BA/GO/EE 9/8/09**

C181. **Bond Act-BES07 Food Storage and Distribution Warehouse:** Amended (Bond) Act in the amount of Seven Million Eight Hundred Forty Five Thousand (\$7,845,000) Dollars, which includes Five Hundred Seventy Thousand (\$570,000) Dollars in previously authorized bonds of the County, to finance Capital Project BES07-Food Storage and Distribution Warehouse. **BA/CS/EE/PSS 9/21/09**

C184. **(Recommitted) Bond Act RGC20 Golf Course Infrastructure Rehabilitation:** Act authorizing the issuance of One Million Ten Thousand (\$1,010,000) **Recommitted to BA/GO 9/8/09**

C185. **Bond Act-BEL01-Purchase of Voting Machines:** (Bond) Act authorizing the issuance of Two Hundred Thousand (\$200,000) Dollars in bonds to finance Capital Project BEL01-Purchase of Voting Machines. **BA/GO 10/5/09**

C186. **Bond Act-SM075-Pump Station Rehabilitation Program:** (Bond) Act authorizing the issuance of Two Million One Hundred Thousand (\$2,100,000) Dollars in bonds to finance Capital Project SM075-Pump Station Rehabilitation Program. **BA/GO 10/5/09**

C187. **Bond Act-SPK14-Peekskill WWTP Secondary Process and Heating System Upgrades:** (Bond) Act authorizing the issuance of One Million Six Hundred Thousand (\$1,600,000) Dollars in bonds to finance Capital Project SPK14-Peekskill Wastewater Treatment Plant, Secondary Process and Heating System Upgrades. **BA/GO 10/5/09**

C188. **Bond Act Amendment-SY020-Tarrytown Forcemain Replacement:** (Bond) Act amendment authorizing the issuance of Nine Million Five Hundred Thousand (\$9,500,000) Dollars in bonds to finance Capital Project SY020-Tarrytown Forcemain Replacement. **BA/GO 10/5/09**

C192. **NHLA Bond Act-BPL10- 60 West 1St Street-Mount Vernon:** (BOND) Act authorizing the issuance of bonds in an amount not-to-exceed \$1,265,000 dollars to finance Capital Project BPL10-New Homes Acquisition (60 West 1st Street, Mount Vernon). **BA/GO 10/19/09**

C193. **HIF Bond Act-BPL01-60 West 1St Street-Mount Vernon:** (BOND) Act authorizing the issuance of bonds in an amount not-to-exceed \$1,552,000 dollars to finance Capital Project BPL01-Housing Implementation Fund (60 West 1st Street, Mount Vernon). **BA/GO 10/19/09**

C194. **Bond Act Amendment-BPL21- Water Quality Improvemnet Projects:** (BOND) Act amendment authorizing the issuance of up to Five Hundred Thousand (\$500,000) Dollars in bonds to finance Capital Project BPL21-Water Quality Improvement Projects. **BA/GO 10/19/09**

C197. **Bond Act B042A-Roof Replacement Program (2007-2011):** (BOND) Act authorizing the issuance of Four Million Four Hundred Thousand (\$4,400,000) Dollars in bonds to finance Capital Project B042A-Roof Replacement Program. (2007-2011) **BA/GO/EE 11/9/09**

C198. **Bond Act- Settlement of Litigation-DiBattista:** (BOND) Act authorizing the

issuance of One Million Two Hundred Thousand (\$1,200,000) Dollars in bonds to fund costs related to the settlement of litigation entitled Carmine DiBattista, et al. v. County of Westchester. **BA 11/9/09**

C199. **Bond Act-County Water District No. 3-WaterDistribution Improvements-WD302:** Amended Bond Act for a total not to exceed amount of Nine Million Eight Hundred Thousand \$9,800,000 Dollars to finance Capital Project WD302-County Water District No. 3 Water Distribution System Improvements. **BA/GO/E&E 11/9/09**