

**WESTCHESTER COUNTY BOARD OF LEGISLATORS
COMMITTEE ON BUDGET & APPROPRIATIONS MEETING
JOINT WITH COMMITTEE ON PUBLIC SAFETY AND SECURITY
MINUTES FEBRUARY 18, 2009**

MEMBERS B&A: Chair: Jose Alvarado; Legislators: Abinanti, Burton, Kaplowitz, Myers, Oros, Williams

MEMBERS PUBLIC SAFETY & SECURITY: Chair: Vito Pinto; Legislators: Burton, Myers, Maisano, Oros

IN ATTENDANCE: **DEF:** Thomas Lauro, Louis Vetrone; **Planning:** Norma Drummond; **DES:** Tony Sutton; **CBAC,LVWV:** Barbara Strauss; **CE's Office:** Sue Gerry, Bill Randolph; **Law:** Lori Alesio, Stacey Dolgin-Kmetz; **Intern:** Patricia Nicholas; **Staff:** Sunday Vanderburg, Ray Indelicato, Katie Delgado, Sally Schecter; Christina Oros

With a quorum present, Chair Jose Alvarado called the Budget & Appropriations Committee to order at 10:20 a.m.

The first item was A147 Retention of Outside Counsel in an appeal of DiBattista, et al. v. County of Westchester: The County Law Department explained that they have to prepare an appeal during the next few months. Because it involves health insurance law and it is an area that the County attorney's office is not comfortable litigating and because of the importance of the case, they are asking the Board to retain the outside counsel of Jackson, Lewis in an amount not to exceed \$65,000. Legislator Kaplowitz wanted to know why we need someone with health care expertise. Law explained that it involved health insurance, Erisa law, health benefits and retirement benefits and Jackson Lewis has been helpful already in explaining the Erisa law. Legislator Kaplowitz felt this had more to do with labor and the contractual side than the Erisa law. Legislator Williams is on the Litigation sub-committee and he explained there are some sensitive issues and the legislators should go into executive session to discuss them in depth. He also said it is the recommendation of the sub-committee to move forward with this legislation. The County has to protect its right to litigate this \$3.26 million judgment. At 10:37 a.m., on the motion of Legislator Williams, seconded by Legislator Kaplowitz, the Committee moved to go into Executive Session for the discussion of litigation.

At 10:56 a.m. on the motion of Legislator Maisano, seconded by Legislator Burton the Committee moved to come out of Executive Session.

On the motion of Legislator Williams, seconded by Legislator Burton the motion was carried by a vote of 6-0 with Legislator Oros signing this without prejudice. (Alvarado, Burton, Kaplowitz, Myers, Williams, Oros).

A158 IMA-Organic Yard Waste Transfer Program: Commissioner Lauro explained that this is the third renewal for Refuse Disposal District #1 to enter into an IMA with Solid Waste District members who wish to take part in the County Organic Waste Transfer Program. A contractor will drop off a container at the host facility – there are 19 – and when full it is taken away to various composting facilities. This item was signed out of the Environment Committee on January 26, 5-0 (Abinanti, Rogowsky, Harckham, Myers, Nonna) with the request that a few minor changes be made in the language. This was done. On the motion of Legislator Myers, seconded by Legislator Burton, the motion was carried by a vote of 6-0 (Alvarado, Oros, Kaplowitz, Burton, Myers, Williams).

A210 Urban County Application: Norma Drummond explained that this is the 34th year of the CDBG funding and includes a five year consolidated plan. There are forty municipalities that are part of the consortium. They do not include Yonkers, New Rochelle, Mt. Vernon, White Plains and Mt. Pleasant. The break down is approximately \$5,430,084 from CDBG, \$1,613,876 from HOME and \$240,000 from ESG. This year there were approximately 220 applications received for funding for CDBG money, 66 more than three years ago. The County had in the past received approximately \$7 million, in 2008 it was down to \$5.7 million and in 2009 it is \$5.4 million. This item was signed out of the Government Operations Committee on February 3 (5-0 – Jenkins, Bronz, Pinto, Harckham, Burrows). On the motion of Legislator Kaplowitz, seconded by Legislator Myers for Budget & Appropriations, the motion was carried by a vote of 6-0. (Alvarado, Burton, Kaplowitz, Myers, Williams, Oros)

Chair Pinto called the Public Safety and Security Committee to order at 11:15 a.m.

A204 Hawthorne Fire District IMA and A205 Valhalla Fire District IMA: These items are to provide specialized training and fire suppression services for one year. This covers the medical center, labs and research and the college. There have been numerous false alarms due to stuck elevators, faulty smoke heads, and questionable chemicals. A committee was formed to try and mitigate the false alarms. Construction at the medical center also caused some false alarms. Commissioner Sutton said he had met just this past week with the committee and they were very happy with the ongoing results. Commissioner Sutton said he does keep President Israel of the medical center informed of the committee's findings. On the motion of Legislator Maisano, seconded by Legislator Burton from Public Safety and Security for both items, the motion was passed by a vote of 5 – 0 (Pinto, Burton, Myers, Oros, Maisano). On the motion of Legislator Abinanti, seconded by Legislator Oros from Budget & Appropriation for both items, the motion was passed by a vote of 6-0 (Alvarado, Oros, Kaplowitz, Burton, Myers, Abinanti).

The minutes of Budget & Appropriations for January 28, 2009 were approved on the motion of Legislator Burton, seconded by Legislator Kaplowitz.

On the motion of Legislator Maisano, seconded by Legislator Burton, the Committee on Public Safety and Security was adjourned at 11:25 a.m. and on the motion of Legislator Burton, seconded by Legislator Kaplowitz the Committee on Budget & Appropriation was adjourned at 11:25 a.m.