



Budget & Appropriations

BOL Meeting Minutes - Final

Committee Chair: Catherine Borgia

800 Michaelan Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Wednesday, March 31, 2021

10:00 AM

Committee Room

CALL TO ORDER

Meeting jointly with the Committees on Law & Major Contracts and Parks & Recreation.

With a quorum present, Chair Borgia called the meeting to order at 10:14 AM.

Pursuant to Governor Andrew Cuomo's Executive Order No. 202.1, "Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency," which temporarily suspends portions of the New York State Open Meetings Law.

A section of the order, "Suspension of law allowing the attendance of meetings telephonically or other similar services," provides for the suspension of "Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed."

Others in Attendance: BOL Remote: MaryJane Shimsky, Jose Alvarado, Colin Smith, Kitley Covill, Terry Clements, Melanie Montalto, Elizabeth LoBello BOL: Alessandra Restiano, Jill Axelrod, Jason

Chervokas LAW: John Nonna LAW Remote: Tami Altschiller, Elizabeth Sacksteder PARKS Remote: Kathy O'Connor, Peter Tartaglia BUDGET Remote: Larry Soule, Gideon Grande CSEA Remote: Karen Pecora

Present: Legislator Borgia, Legislator Barr and Legislator Boykin

Absent: Legislator Johnson

Remote: Legislator Cunzio, Legislator Gashi, Legislator Maher, Legislator Parker, Legislator Tubiolo, Legislator Walter, Legislator Williams and Legislator Woodson-Samuels

MINUTES APPROVAL

Wednesday, March 24, 2021 10 AM Minutes

On motion of Legislator Barr, seconded by Legislator Woodson-Samuels, the minutes were approved. The motion carried unanimously.

I. ITEMS FOR DISCUSSION

[2021-153](#)

ACT - Second Restated and Amended Playland Management Agreement with Standard Amusement, LLC

AN ACT authorizing the County of Westchester to enter into a Second Restated and Amended Playland Management Agreement with Standard Amusements, LLC in order to fully resolve the allegations set forth in the Chapter 11 case entitled: *In re Standard Amusements LLC, Debtor, Case No. 19-23061 (RDD) and the Adversary Proceeding No. 19-08264 (RDD), Standard Amusements LLC, Plaintiff v. The County of Westchester, by and through George Latimer, in his official capacity as County Executive of Westchester, Kathleen O'Connor in her official capacity as the Commissioner of the Department of Parks, Recreation and Conservation, and Hugh J. Greechan, in his official capacity as the Commissioner of the Department of Public Works and Transportation, Defendant.*

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, LAW & MAJOR CONTRACTS AND PARKS & RECREATION

Joint with LMC & PR

Guests: County Attorney John Nonna, Assistant Chief Deputy County Attorney Tami Altschiller, Associate County Attorney David Chen, and Elizabeth Sacksteder, Partner, Paul Weiss Rifkind Wharton & Garrison; Budget Director Larry Soule and Deputy Budget Director Gideon Grande; Commissioner Kathy O'Connor and Deputy Commissioner Peter Tartaglia, Department of Parks & Recreation
Karen Pecora, President of CSEA Unit 9200, presented additional questions from the 31 full-time County employees at Playland. Mr. Nonna suggested that the employees should have a conversation with Standard, which might help allay their concerns. Commissioner O'Connor, Deputy Commissioner Tartaglia, and Ms. Pecora agreed that this would be beneficial for the employees.

The committees continued their review of the financials presented by the Budget Department. Legislator Parker asked what the role of the Board of Legislators would be if Standard seeks to assign the contract. Mr. Nonna said that assignment to a third party may constitute an amendment to the contract, which would require Board approval since they approved the original contract. Ms. Altschiller confirmed that assignment would require an amendment and Board approval.

Legislator Parker requested that the committees go into executive session to discuss the litigation with Standard. Chair Barr said that due to time constraints, this would take place at the next meeting. Mr. Nonna asked that questions regarding litigation be sent by privileged and confidential email to the Law Department in advance in case they need to do research. Chair Barr said that at the next meeting, the committees will also discuss questions regarding Section 10, which is the assignment provision of the agreement, and the changes made to the agreement based on previous discussions.

The meeting can be viewed in its entirety at

http://westchestercountyny.granicus.com/MediaPlayer.php?view_id=1&clip_id=688

This ACT was tabled

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Boykin, seconded by Legislator Gashi, the Committee adjourned at 12:11 PM.