



Parks & Recreation

BOL Meeting Minutes - Final

Committee Chair: David Tubiolo

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

Joint with Law & Major Contracts and Budget & Appropriations

With a quorum present, Chair Barr called the meeting to order at 10:15 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: Legislator Catherine Borgia, Nancy Barr, Kitley Covill, Colin Smith Legislators (Remote): Terry Clements, Margaret Cunzio, Alfreda Williams, Jose Alvarado, Vedat Gashi and Tyrae Woodson-Samuels; Committee Coordinators: Jill Axelrod, Alie Restiano, and Beth LoBello LAW: John Nonna, Remote: Tami Altschiller, David Chen PARKS: Kathy O'Connor, Peter Tartaglia BUDGET: Larry Soule, Gideon Grande GUESTS: Elizabeth Sacksteder, Karen Pecora

Present: Legislator Boykin

Remote: Legislator Tubiolo, Legislator Maher, Legislator Parker, Legislator Shimsky and Legislator Walter

MINUTES APPROVAL

March 24, 2021 at 10 AM

On motion of Legislator Walter, seconded by Legislator Shimsky, the above item was 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.

Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, LAW & MAJOR CONTRACTS AND PARKS & RECREATION

Guests: County Attorney John Nonna, Assistant Chief Deputy County Attorney Tami Altschiller, Associate County Attorney David Chen, Elizabeth Sacksteder, Partner, Paul Weiss Rifkind Wharton & Garrison; Parks & Recreation Commissioner Kathy O'Connor and Deputy Commissioner Peter Tartaglia; Budget Director Larry Soule and Deputy Director Gideon Grande

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.

This ACT was tabled.

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II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

On motion of Legislator Walter, seconded by Legislator Shimsky, the above item was adjourned at 12:12 PM. The motion carried unanimously.