

# Law & Major Contracts

## BOL Meeting Minutes - Published Draft



Committee Chair: David Imamura

800 Michaelian Office Bldg.  
148 Martine Avenue, 8th Floor  
White Plains, NY 10601  
[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

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**Monday, September 30, 2024**

**1:00 PM**

**Committee Room**

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**Joint w/ B & A**

### CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/>. This website also provides links to materials for all matters to be discussed at a given meeting.

Joint with Budget & Appropriations committee.

Legislator Emiljana Ulaj will be participating remotely from 520 White Plains Road, Tarrytown, NY 10591.

Legislator Colin Smith will be participating remotely from 1132 Main Street, Suite 1, Peekskill, NY 10566.

*With a quorum present, Chair Imamura called the meeting to order at 1:41 p.m.*

*Others in Attendance: BOL: Legislators: Erika Pierce and Jewel Williams Johnson; Legislators (Remote): Margaret Cunzio, Catherine Parker and Jose Alvarado; Committee Coordinators: Jill Axelrod, James Silverberg, and Dayana Gomez; Lisa Hochman, Marcello Figueroa, and Karen Vele; Guests: Law Dept.: John Nonna, Jane Hogan Felix, Francesca Mountain, Taryn Langrin, and Rob Taglia; DPW: April Gasparri and Brian Hegt; CE's Office: Joan McDonald*

**Present:** Legislator Imamura, Legislator Woodson-Samuels, Legislator Barr, Legislator Smith and Legislator Gashi

**Absent:** Legislator Ulaj

### MINUTES APPROVAL

Minutes for Monday, September 23rd at 1:00 p.m.

### I. ITEMS FOR DISCUSSION

1. [ACT-2024-184](#) ACT - Lawsuit Settlement of Reed and Nazario

Guests: Law Dept.: County Attorney John Nonna and Deputy County Attorney Jane Hogan-Felix

*Mr. Nonna, Ms. Hogan Felix, and Francesca Mountain, Senior Assistant County Attorney, discussed the item with the committee.*

*With a motion by Legislator Smith seconded by Legislator Woodson-Samuels, the committee voted unanimously to go into executive session to discuss legal strategy and settlement negotiations at 1:49 p.m. With a motion by Legislator Smith seconded by Legislator Barr, the committee voted unanimously to come out of executive session at 2:43 p.m.*

On motion of Legislator Woodson-Samuels, seconded by Legislator Barr, the above item was signed by committee and referred to Board of Legislators. The motion carried unanimously.

2. [ACT-2024-191](#) **ACT - Lawsuit Settlement of Palmieri v. County of Westchester**

Guests: Law Dept.: County Attorney John Nonna and Senior Assistant County Attorney Taryn Langrin Chapman

*Mr. Nonna and Deputy County Attorney Taryn Chapman discussed the item with the committee. She said this case involved an inmate attack on a nurse. She noted that due to the nature of the attack, the plaintiff would likely garner sympathy from a jury, and it was best to settle the case. She said she did not see any need to go into executive session to discuss this matter further.*

*Chair Imamura asked about preventative measures going forward. Ms. Chapman said the inmate was put on enhanced security protocol (ESP) after the attack, but was not put on it prior because he did not have a history of fighting in the jail. She said that the County feels their procedure is adequate, but this was a sudden, unprovoked attack that could not have been prevented. She also said that the officers could not respond with force immediately due to use of force protocol that requires verbal commands be used first.*

On motion of Legislator Barr, seconded by Legislator Woodson-Samuels, the above item was signed by committee and referred to Board of Legislators. The motion carried unanimously.

*BOL Chairman Gashi placed the following items into the committee on Law & Major Contracts for consideration as added starters:*

2024-473 – PH - Amend Ground Lease Agreement with White Plains Aviation Partners

2024-474 – ENV RESO - Amend Ground Lease Agreement with White Plains Aviation Partners

2024-475 – LL - Amend Ground Lease Agreement with White Plains Aviation Partners

2024-473 – ACT - Settlement with White Plains Aviation Partners

*Mr. Nonna, Ms. MacLeod, Mr. Adin, and Joan McDonald, Director of Operations for the County Executive's office, discussed the items with the committee. Mr. Nonna provided the history and prior motion practice for the lease amendment and settlement. Mr. Nonna said that the amendment to the lease will provide that 1) the T25 hanger will be used for light general aviation, 2) Million Air will have 39 tie down spaces, and 3) the County will provide Million Air with 35 parking spaces, for which they will pay additional rent. He further explained that Million Air is required to do storm water improvements on the parking area.*

*Ms. McDonald explained that Million Air and the FAA have agreed to move forward with a standard environmental assessment on only the built hangar and built terminal (which should have been done in 2017 before anything was built).*

*Legislator Barr noted that Million Air has also made several false claims. She noted that when the current administration said that Million Air could not build an additional 70,000 square foot hangar pursuant to the lease, Million Air's CEO came before the legislators and claimed that the T hangar needed to be torn down because it was in irreparable condition, and could not be used for light GA or anything else. She stressed that at that time, Million Air was using the hangar for storage, which is not permissible because it is not aeronautical use. She said that they also claimed that there was a grading to the land surrounding the T hangar that made it impossible for light GA to operate there, and that there was no real demand to park at that hangar, since most of the light GA planes were parking somewhere else.*

*Legislator Barr said that the chair of the AAB said that the building is in fine shape for light GA if the stored items were removed, there was in fact demand for parking inside the hangar, and there was no property grading issue, which was confirmed when legislators saw the hangar themselves.*

*With a motion by Legislator Barr seconded by Legislator Woodson-Samuels, the committee voted unanimously to go into executive session to discuss legal advice at 3:22 p.m. With a motion by Legislator Barr seconded by Legislator Woodson-Samuels, the committee voted unanimously to come out of executive session at 4:10 p.m.*

*Legislator Pierce noted that the SEQRA states that "parking lot reconstruction requirements will reduce storm water runoff from impervious surfaces that were added without storm water management. Porous pavement will infiltrate runoff to meet the runoff reduction requirements." She wanted the Planning Department to correct the SEQRA to clarify that this work has already been done. She also requested that someone from DPW appear at the next meeting to provide more detail regarding the storm water work that was done.*

*The meeting can be viewed in its entirety at [https://westchestercountyny.granicus.com/player/clip/7232?view\\_id=1&redirect=true](https://westchestercountyny.granicus.com/player/clip/7232?view_id=1&redirect=true).*

## **II. OTHER BUSINESS**

## **III. RECEIVE & FILE**

## **ADJOURNMENT**

Moved by Legislator Woodson-Samuels, seconded by Legislator Barr, the Committee adjourned at 4:18 p.m.