

Budget & Appropriations

BOL Meeting Minutes - Final



Committee Chair: Jewel Williams Johnson

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

Monday, October 7, 2024

1:00 PM

Committee Room

Joint with LEG, LMC, PWT, and HS

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.

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

With a quorum present, Chair Williams Johnson called the meeting to order at 1:48 PM.

Others in Attendance: GUESTS: Justin Adin, Hernane De Almeida, Lindsay Jackson (remote), Hugh Greechan, David Vutera (remote), John Nonna, Justin Adin, April Gasparri, Shawna MacLeod, Brian Hegt; BOL: Legislator David Imamura, Legislator Margaret Cunzio, Legislator James Nolan, Marcello Figueroa, Flora White (remote), Lisa Hochman (remote), Warren Watson (remote), Karen Vele, James Silverberg, Shatika Parker and Dayana Gómez-Holguín

Present: Legislator Williams Johnson, Legislator Barr, Legislator Holstein, Legislator Pierce, Legislator Smith, Legislator Woodson-Samuels and Legislator Gashi

Absent: Legislator Tubiolo

Remote: Legislator Williams

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [RES-2024-172](#) **PH - Amend Ground Lease Agreement with White Plains Aviation Partners**

A Public Hearing on "A LOCAL LAW authorizing the County of Westchester to amend a ground lease agreement with White Plains Aviation Partners, LLC D/B/A Million Air White Plains for space at Westchester County Airport." [Public Hearing set for October 21, 2024 at 7:30 p.m.]. LOCAL LAW INTRO: 2024-475.

SUBMITTED BY: COMMITTEES ON LEGISLATION, BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND LAW & MAJOR CONTRACTS

Joint with LEG, LMC and PWT.
Guests: Law Department
County Attorney John Nonna
Assistant Chief Deputy County Attorney Justin Adin
Senior Assistant County Attorney Shawna MacLeod

Department of Public Works & Transportation
Commissioner Hugh Greechan,
Director of Aviation April Gasparri
Assistant to the Commissioner Brian Hegt

Department of Planning
Assistant Commissioner David Kvinge

The next four items are related to the lease agreement between Westchester County Airport and White Plains Aviation Partners (Million Air). The first item is to set a public hearing, the second item is the environmental resolution, the third item is the local law setting the terms of the lease agreement and the fourth item is the act. There are two aspects to the settlement that need approval by the Board of Legislators (BOL): the amendments to the lease (last updated in 2016) and the dismissal of the counterclaims with prejudice. Some of the terms in the amended lease are: Million Air agrees to maintain the T25 Hangar as a life general aviation hangar, Million Air agrees to provide 39 tie-downs for life general aviation and the County agrees the rental of 35 parking spaces with back pay, in the area that they were despite not being included in the previous lease agreement. County Attorney Nonna shared which settlement agreement terms do not require BOL approval, including approval of the new standard environmental assessment by the Federal Aviation Administration (FAA), after which a 30-day public comment period will follow. The new standard environmental assessment differs from the previous short environmental assessment and this project includes an updated State Environmental Quality Review Act (SEQRA) and storm water mitigation work that was done. The current lawsuit will be dismissed with this new agreement and if there are future changes requested, it would need to be discussed and will be subject to BOL approval (which will need a new environmental assessment).

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

Aye: Legislator Williams Johnson, Legislator Barr, Legislator Holstein, Legislator Pierce, Legislator Smith, Legislator Woodson-Samuels and Legislator Gashi

Absent: Legislator Tubiolo

Remote: Legislator Williams

2. [RES-2024-179](#) **ENV. RESO. - Amend Ground Lease Agreement with White Plains Aviation Partners**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from the proposed lease amendment.

SUBMITTED BY: COMMITTEES ON LEGISLATION, BUDGET & APPROPRIATIONS,

PUBLIC WORKS & TRANSPORTATION AND LAW & MAJOR CONTRACTS

Joint with LEG, LMC and PWT.

Guests: Law Department

County Attorney John Nonna

Assistant Chief Deputy County Attorney Justin Adin

Senior Assistant County Attorney Shawna MacLeod

Department of Public Works & Transportation

Commissioner Hugh Greechan,

Director of Aviation April Gasparri

Assistant to the Commissioner Brian Hegt

Department of Planning

Assistant Commissioner David Kvinge

Please refer to item #1.

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

Aye: Legislator Williams Johnson, Legislator Barr, Legislator Holstein, Legislator Pierce, Legislator Smith, Legislator Woodson-Samuels and Legislator Gashi

Absent: Legislator Tubiolo

Remote: Legislator Williams

3. [LL-17-2024](#) **LL - Amend Ground Lease Agreement with White Plains Aviation Partners**

A LOCAL LAW authorizing the County of Westchester to amend a ground lease agreement with White Plains Aviation Partners, LLC D/B/A Million Air White Plains for space at Westchester County Airport.

SUBMITTED BY: COMMITTEES ON LEGISLATION, BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND LAW & MAJOR CONTRACTS

Joint with LEG, LMC and PWT.

Guests: Law Department

County Attorney John Nonna

Assistant Chief Deputy County Attorney Justin Adin

Senior Assistant County Attorney Shawna MacLeod

Department of Public Works & Transportation

Commissioner Hugh Greechan,

Director of Aviation April Gasparri

Assistant to the Commissioner Brian Hegt

Department of Planning

Assistant Commissioner David Kvinge

Please refer to item #1.

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

Aye: Legislator Williams Johnson, Legislator Holstein, Legislator Pierce, Legislator Smith, Legislator Woodson-Samuels and Legislator Gashi

Absent: Legislator Tubiolo

Remote: Legislator Williams

WO Prejudice: Legislator Barr

4. [ACT-2024-229](#) **ACT - Settlement with White Plains Aviation Partners**

AN ACT authorizing the County Attorney to settle counterclaims in the federal action entitled White Plains Aviation Partners, LLC, d/b/a/ Million Air White Plains v. County of Westchester.

SUBMITTED BY: COMMITTEES ON LEGISLATION, BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND LAW & MAJOR CONTRACTS

Joint with LEG, LMC and PWT.

Guests: Law Department

County Attorney John Nonna

Assistant Chief Deputy County Attorney Justin Adin

Senior Assistant County Attorney Shawna MacLeod

Department of Public Works & Transportation

Commissioner Hugh Greechan,

Director of Aviation April Gasparri

Assistant to the Commissioner Brian Hegt

Department of Planning

Assistant Commissioner David Kvinge

Please refer to item #1.

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

Aye: Legislator Williams Johnson, Legislator Holstein, Legislator Pierce, Legislator Smith, Legislator Woodson-Samuels and Legislator Gashi

Absent: Legislator Tubiolo

Remote: Legislator Williams

WO Prejudice: Legislator Barr

5. [ACT-2024-194](#) **CBA-A0134-HVAC Upgrades, Terminal Building**

AN ACT amending the 2024 County Capital Budget Appropriations for Capital Project A0134

HVAC UPGRADES, TERMINAL BUILDING.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with PWT.

Guests: Department of Public Works & Transportation

Commissioner Hugh Greechan,

Director of Aviation April Gasparri

Airport Manager Francisco Tejada

Assistant to the Commissioner Brian Hegt

The next two items are related to passenger terminal improvements at the Westchester County Airport. The first item is a \$1.4 Million Capital Budget Amendment (CBA) for HVAC upgrades and the second item is a Bond Act request totaling \$1.75 Million. Ms. Gasparri provided a timeline of events from the first funding request in 2017 for design until now where they are ready for the construction phase of this project. The two most critical HVAC units that are being prioritized are in the security and baggage claim areas. Design was completed in December of 2023 with an amended cost estimation of \$1 Million for the units and when they received the bids back, the lowest was more than what they anticipated. Alterations to the bid requirements are being made in efforts to lower costs and that is how they arrived to the aforementioned funding requests for these items.

On motion of Legislator Barr, seconded by Legislator Pierce, the above item was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

Aye: Legislator Williams Johnson, Legislator Barr, Legislator Holstein, Legislator Pierce, Legislator Smith, Legislator Woodson-Samuels and Legislator Gashi

Absent: Legislator Tubiolo

Remote: Legislator Williams

6. **[ACT-2024-195](#) **BOND ACT-A0134-HVAC Upgrades, Terminal Building****

A BOND ACT authorizing the issuance of ONE MILLION, FOUR HUNDRED THOUSAND (\$1,400,000) DOLLARS in bonds of Westchester County to finance Capital Project A0134 - HVAC Upgrades, Terminal Building.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with PWT.

Guests: Department of Public Works & Transportation

Commissioner Hugh Greechan,

Director of Aviation April Gasparri

Airport Manager Francisco Tejada

Assistant to the Commissioner Brian Hegt

Please refer to item #5.

On motion of Legislator Barr, seconded by Legislator Pierce, the above item was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

Aye: Legislator Williams Johnson, Legislator Barr, Legislator Holstein, Legislator Pierce, Legislator Smith, Legislator Woodson-Samuels and Legislator Gashi

Absent: Legislator Tubiolo

Remote: Legislator Williams

7. [ACT-2024-208](#) **IMA-Easement to Install Water Main on New King Street-North Castle**

AN ACT authorizing the County of Westchester to enter into an inter-municipal agreement with the Town of North Castle and acquire an easement from the Town to allow the County to install and maintain a water main on New King Street to address per-and-polyfluoroalkyl substances found in the wells of certain privately owned properties.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND HUMAN SERVICES

Joint with HS and PWT.
Guests: Law Department
David Vutera

Department of Public Works & Transportation
Commissioner Hugh Greechan,
Director of Aviation April Gasparri
Airport Manager Francisco Tejada
Assistant to the Commissioner Brian Hegt

In 2018 the County entered into a consent order with the New York State Department of Environmental Conservation (DEC) requiring monitoring of the groundwater which lead to the finding of Per- and Polyfluoroalkyl Substances (PFAS) in soil on airport property, resulting in property owners adjacent to the airport having PFAS in their well water. To remedy this issue, the County will connect the property owners on New King Street in New Castle to a public water supply and the County will provide them with bottled water to all users of the affected well water property owners until the public water supply is available to them. They anticipate testing the water pressure in November of 2024 and by the end of the calendar year it should be completed. The inter-municipal agreement (IMA) is with the Town of North Castle (Town) since the water supply is being administered from the Westchester Joint Water Works (WJWW). After the work is completed, the Town will be responsible for maintenance of the water main and once the bonds are satisfied in about 40 years it will be transferred to the Town, resulting in the end of the IMA.

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 by the following vote:

Aye: Legislator Williams Johnson, Legislator Barr, Legislator Holstein, Legislator Pierce, Legislator Smith, Legislator Woodson-Samuels and Legislator Gashi

Absent: Legislator Tubiolo

Remote: Legislator Williams

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Barr, seconded by Legislator Woodson-Samuels, the Committee adjourned at 3:01 PM. by the following vote:

Aye: Legislator Williams Johnson, Legislator Barr, Legislator Holstein, Legislator Pierce, Legislator Smith, Legislator Woodson-Samuels and Legislator Gashi

Absent: Legislator Tubiolo

Remote: Legislator Williams