

# Legislation

## BOL Meeting Minutes - Published Draft



Committee Chair: Colin Smith

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, October 7, 2024**

**1:00 PM**

**Committee Room**

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**Joint with LMC, B&A and PWT**

### 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 Law & Major Contracts, Budget & Appropriations, and Public Works & Transportation committees.

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 Smith called the meeting to order at 1:18 p.m.*

*Others in Attendance: BOL: Legislators: Jewel Williams Johnson, Erika Pierce, Nancy Barr and Judah Holstein; Legislators (Remote): Shanae Williams and Jose Alvarado; Committee Coordinators: Jill Axelrod, James Silverberg, Dayana Gomez, and Shatika Parker; Lisa Hochman, and Marcello Figueroa; Law Dept.: John Nonna, Justin Adin, and Shawna MacLeod; DPW&T: Hernane De Almeida, Jeff Dean, April Gasparri, Brian Hegt; Planning Dept.: David Kvinge*

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

**Absent:** Legislator Boykin, Legislator Tubiolo and Legislator Ulaj

### MINUTES APPROVAL

Monday, September 23, 2024 at 1:00 p.m.

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

Monday, September 30, 2024 at 1:00 p.m.

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

## I. ITEMS FOR DISCUSSION

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

Guests: Law Dept.: County Attorney John Nonna, Assistant Chief Deputy County Attorney Justin Adin, and Senior Assistant County Attorney Shawna MacLeod; DPW&T: Commissioner Hugh Greechan, April Gasparri, Director of Aviation, and Brian Hegt, Assistant to the Commissioner; Planning Dept.: Assistant Commissioner David Kvinge

*Legislator Pierce asked the guests to review the lease amendments in detail. Mr. Nonna said that the amendments provide that: 1) Million Air will restore the T25 hanger for light general aviation use; 2) Million Air will have 39 tie down spaces; and 3) the County will allow Million Air to use 35 parking spaces they were using as part of an expired license agreement, for which they will provide back pay and pay additional rent going forward.*

*Mr. Nonna noted that an important part of the settlement was the new environmental assessment that Million Air submitted to the FAA, which included only the built hangar (which was permitted under the 2016 lease) and the terminal expansion, but not the proposed 78,000 square foot hangar included in the original environmental assessment. He said that going forward, the proposed hangar would require an amendment to the lease, which would require approval by the Board of Legislators.*

*Assistant Commissioner David Kvinge said the SEQRA had been updated to reflect that the storm water work had been completed. Ms. Gasparri and Jeff Dean, a senior engineer with DPW, discussed the scope of the work performed.*

*Legislator Barr said that since 2018, the County has had to strong-arm Million Air into doing what they are supposed to do. She cited several examples, including 1) the lease provided that the T hangar was to be used for light general aviation, but they claimed it was unusable and had to be ripped down; 2) they did their initial building without doing the required environmental work; 3) when the DPW Commissioner told them that their license for the parking spaces had expired, they did not leave; and 4) their main response to issues has been to file lawsuits against the County. She said that since the County may not be able to trust Million Air, she would like to see the Board of Legislators pass another resolution saying that the County will monitor whether Million Air is complying with the lease requirements on a monthly basis or by performing spot checks. She also suggested that there should be a way for tenants to make complaints to the County if they are not able to park in the T hangar.*

*Ms. Gasparri said that they monitor compliance for all airport tenants, including Million Air, as part of their due diligence, and also follow up and address all questions or complaints that come to them.*

*Legislator Pierce asked where the public can view the NEPA when it becomes available. Ms. Gasparri said it will be available on the County's website, [www.westchestergov.com](http://www.westchestergov.com).*

*The meeting can be viewed in its entirety at*

*[https://westchestercountyny.granicus.com/player/clip/7262?view\\_id=1&redirect=true](https://westchestercountyny.granicus.com/player/clip/7262?view_id=1&redirect=true).*

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

2. [2024-474](#) **ENV. RESO. - Amend Ground Lease Agreement with White Plains Aviation Partners**

Guests: Law Dept.: County Attorney John Nonna, Assistant Chief Deputy County Attorney Justin Adin, and Senior Assistant County Attorney Shawna MacLeod; DPW&T: Commissioner Hugh Greechan, April Gasparri, Director of Aviation, and Brian Hegt, Assistant to the Commissioner; Planning Dept.: Assistant Commissioner David Kvinge

*See discussion of Item #1 above.*

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

3. [2024-475](#) **LL - Amend Ground Lease Agreement with White Plains Aviation Partners**

Guests: Law Dept.: County Attorney John Nonna, Assistant Chief Deputy County Attorney Justin Adin, and Senior Assistant County Attorney Shawna MacLeod; DPW&T: Commissioner Hugh Greechan, April Gasparri, Director of Aviation, and Brian Hegt, Assistant to the Commissioner; Planning Dept.: Assistant Commissioner David Kvinge

*See discussion of Item #1 above.*

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

4. [2024-476](#) **ACT - Settlement with White Plains Aviation Partners**

Guests: Law Dept.: County Attorney John Nonna, Assistant Chief Deputy County Attorney Justin Adin, and Senior Assistant County Attorney Shawna MacLeod; DPW&T: Commissioner Hugh Greechan, April Gasparri, Director of Aviation, and Brian Hegt, Assistant to the Commissioner; Planning Dept.: Assistant Commissioner David Kvinge

*See discussion of Item #1 above.*

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

5. [RES-2024-173](#) **PH - Road Construction**

Guests: Law Dept.: Assistant Chief Deputy County Attorney Justin Adin; DPW&T: Commissioner Hugh Greechan and Deputy Commissioner Hernane De Almeida  
*Mr. Adin said that this legislation amends the section of the County law which sets forth the requirements on the timing and extent of repaving County roads after excavation. He said the current law only requires curb-to-curb replacement when excavation covers a substantial part of the street, and does not specify the time in which the replacement must occur. This legislation follows the guidelines set by several municipalities, and requires replacing pavement from curb to curb when the excavation meets much smaller thresholds. He noted*

that the legislation also removes some specifics about resurfacing to allow it to follow New York State DOT standards and specifications, which are updated regularly.

Mr. De Almeida said that the new legislation specifies that the road must be permanently patched within 60 days of completion of the job, unless otherwise directed by the Commissioner. Legislator Nolan that the provision regarding the Commissioner's discretion was added so that if the County repaves, individuals could be charged less than utility companies if warranted.

Legislator Woodson-Samuels said he was happy to co-sponsor this common sense piece of legislation in a bipartisan effort with his colleague, Legislator Nolan. Legislator Nolan thanked everyone involved in making this legislation possible.

Legislator Pierce asked what the repercussions are for not repaving within 60 days. Mr. De Almeida said DPW will not issue future permits to those who don't comply with the law. He also noted that the County could complete the work, and use the deposit given with the permit application to pay for it. Mr. Adin noted there may be bonds to cover that cost.

Legislator Pierce how DPW would become aware that repaving had not been completed. Mr. De Almeida said DPW has road permit inspectors.

Legislator Barr pointed out that the last bullet point on the bottom of the first page of the committee report reads "thee" permittee and not "the", and should be corrected.

On motion of Legislator Nolan, seconded by Legislator Woodson-Samuels, the above item was signed by committee. The motion carried unanimously.

6. [2024-513](#) **LEGISLATORS NOLAN AND WOODSON-SAMUELS- LL - Road Construction**

Guests: Law Dept.: Assistant Chief Deputy County Attorney Justin Adin; DPW&T: Commissioner Hugh Greechan and Deputy Commissioner Hernane De Almeida  
See discussion of Item #5 above.

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

## II. OTHER BUSINESS

## III. RECEIVE & FILE

## ADJOURNMENT

Moved by Legislator Cunzio, seconded by Legislator Nolan, the Committee adjourned at 2:43 p.m.