

# 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, October 7, 2024**

**1:00 PM**

**Committee Room**

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**Joint with LEG, 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 Legislation, 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, Suit 1, Peekskill, NY 10566.

*With a quorum present, Chair Imamura called the meeting to order at 1:47 p.m.*

*Others in Attendance: BOL: Legislators: Jewel Williams Johnson, Erika Pierce, Margaret Cunzio, James Nolan, 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 Imamura, Legislator Woodson-Samuels, Legislator Barr, Legislator Smith and Legislator Gashi

**Absent:** Legislator Ulaj

### MINUTES APPROVAL

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

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

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

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

## I. ITEMS FOR DISCUSSION

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

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

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

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

**Absent:** Legislator Ulaj

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

See discussion of Item #1 above.

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

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

**Absent:** Legislator Ulaj

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

See discussion of Item #1 above.

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

**Aye:** Legislator Imamura, Legislator Woodson-Samuels, Legislator Smith and Legislator Gashi

**Absent:** Legislator Ulaj

**WO Prejudice:** Legislator Barr

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

See discussion of Item #1 above.

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

**Aye:** Legislator Imamura, Legislator Woodson-Samuels, Legislator Smith and Legislator Gashi

**Absent:** Legislator Ulaj

**WO Prejudice:** Legislator Barr

**II. OTHER BUSINESS**

**III. RECEIVE & FILE**

**ADJOURNMENT**

Moved by Legislator Woodson-Samuels, seconded by Legislator Smith, the Committee adjourned at 2:43 p.m.

DRAFT