

Law & Major Contracts

BOL Meeting Minutes - Final



Committee Chair: Nancy Barr

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

Monday, April 12, 2021

10:00 AM

Committee Room

CALL TO ORDER

Joint with Budget & Appropriations and Parks & Recreation

With a quorum present, Chair Barr called the meeting to order at 10:11 a.m.

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: Legislators: Catherine Borgia, Damon Maher, and David Tubiolo; Legislators (Remote): Margaret Cunzio, Catherine Parker, Ruth Walter, Chris Johnson, Tyrae Woodson-Samuels, and Alfreda Williams; Committee Coordinators: Jill Axelrod, Alie Restiano, and Beth Lobello; Lisa Hochman, Jason Chervokas, and Melanie Montalto

Present: Committee Vice-Chair Barr and Legislator Boykin

Absent: Legislator Alvarado

Remote: Legislator Covill, Legislator Gashi, Committee Vice-Chair Shimsky and Legislator Smith

MINUTES APPROVAL

April 7, 2021 at 10:00 a.m.

On motion of Legislator Covill, seconded by Legislator Boykin, the minutes were approved. The motion carried unanimously.

I. ITEMS FOR DISCUSSION

Playland Agreement Amendments Review

Guests: County Attorney John Nonna; Josh Cohn, Mayor of the City of Rye

Mr. Nonna and Ms. Sacksteder discussed the changes made in response to concerns from the last meeting. Section 2(C) now has a defined term, the "Parking Off-Season," which is October 1 through April 30, during which free parking will be made available to the general public as previously agreed. In addition, if the amusement park is operating, parking will be free to the

general public until one hour before the amusement park opens or 11 a.m., whichever is later. Section 10 now provides that the County has 30 days to consider a wholesale assignment of the agreement to a third party before giving its express written consent or non-consent. Standard also requested that the County give its reasons if it does not consent.

Mayor Cohn requested that a provision be added to the agreement that there will be ongoing consultative relationship with Rye, the County and Standard, which will provide for meetings three times per year. He also requested that a provision be added that Standard will pay for Rye's costs for policing and emergency medical care. Lastly, he requested a provision that changes affecting the neighborhood aspect of the park will be discussed with Rye.

Mr. Nonna and Chairwoman Barr addressed his concerns. Mr. Nonna noted that he had sent the agreement to Mr. Cohn on March 12th, and had received no response. He also noted that we were constrained by the 2016 agreement, which included reimbursement to the County, but not to Rye, and Rye never raised the issue until now.

Mr. Nonna noted that throughout the negotiations, Rye never came forward. He suggested that the City of Rye and Standard Amusement have a conversation. Mr. Nonna noted that an MOU between Standard and the City of Rye may be necessary. He said that Standard wants make sure that the City of Rye is being treated properly.

Chairwoman Barr noted that this is part of an ongoing litigation and both parties have agreed to act in good faith. The committees have met many times since February for two to three hours at a time to discuss this, and addressed concerns from individuals and public officials sent by letters and email.

Deputy Commissioner Tartaglia of the Parks said that this is a complicated contract, and the role of the Department is changing, but they will not go away. They are working with Standard and believe we can work together.

The meeting can be viewed in its entirety at:

http://westchestercountyny.granicus.com/MediaPlayer.php?view_id=1&clip_id=719

This item was signed out of all three committees on April 7, 2021. No additional action was taken.

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Shimsky, seconded by Legislator Boykin, the Committee adjourned at 11:32 a.m.