



## Committee on Parks, Planning & Economic Development

~MINUTES~

Monday, November 5, 2018

10:00 AM

Committee Chair: Michael Kaplowitz

Committee Room, 148 Martine Avenue, 8th Floor, White Plains, NY 10601

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### CALL TO ORDER

Meeting jointly with Budget & Appropriations and Public Works.

With a quorum present, Chair Michael Kaplowitz called the meeting to order at 10:39 AM.

Attendee Name	Title	Status	Arrived
Michael Kaplowitz	Chair	Present	
Margaret A Cunzio	D3 Legislator	Present	
Damon Maher	D10 Legislator	Present	
Catherine Parker	D7 Legislator (Majority Leader)	Present	
MaryJane Shimsky	D12 Legislator (Majority Whip)	Present	
David J. Tubiolo	D14 Legislator	Present	
Benjamin Boykin	D5 Legislator (Chairman)	Present	

Others In Attendance: BOL: Catherine Borgia, Nancy Barr, John Testa, Alfreda Williams, Alessandra Restiano, Tina Limengo, Ellen Hendrickx, Matt Richter, Greg Casciato, Chris Crane, Jason Chervakos, Jaevon Boxhill, Dennis Power Corrections: William Fallon, Karl Vollmer LAW: Stacey Dolgin-Kmetz, Mondaire Jones, John Nonna, Sean Carey DPW: Hugh Greechan, Bud Nicoletti, Kevin Rosmond PARKS: Peter Tartaglia, David DeLucia Guests: Albert Annunziata

### MINUTES APPROVAL

1. Tuesday, October 09, 2018 at 11:01 AM

**With a motion by Legislator Margaret Cunzio and seconded by Legislator MaryJane Shimsky the minutes were approved with a vote of 7-0.**

2. Monday, October 15, 2018 at 9:00 AM

**With a motion by Legislator Margaret Cunzio and seconded by Legislator MaryJane Shimsky the minutes were approved with a vote of 7-0.**

### I. ITEMS FOR DISCUSSION

1. **RES-2018-194 Resolution – PH-Amend IMA-Memorial Field-Mount Vernon:**

A Public Hearing on "A Local Law authorizing the County of Westchester to amend an intermunicipal agreement with the City of Mount Vernon in order to transfer to the County

responsibility for the design and construction of the improvements to the property known as Memorial Field comprised of approximately 12 acres and located on Sandford Boulevard." [Public Hearing set for December 3, 2018 at 11 a.m.; Local Law Intro 2018-11344.]

Joint with B&A.

LAW: Chief Deputy County Attorney Stacey Dolgin-Kmetz, Mondiaire Jones, Assistant County Attorney

PRC: Deputy Commissioner Peter Tartaglia, Dave DeLucia and Ken Uhle

DPW: First Deputy Commissioner Nicoletti

The Committee met jointly with B&A to discuss the amendments to the intermunicipal Agreement (IMA) for Memorial Field. Assistant County Attorney, Mondaire Jones and Chief Deputy County Attorney Stacey Dolgin-Kmetz joined Deputy Commissioner Peter Tartaglia and David DeLucia from the Department of Parks and Recreation and Commissioner Hugh Greechan from the Department of Public Works to discuss ID#11343/11344 - Act to amend the IMA with the City of Mount Vernon in order to transfer to the County responsibility for the design and construction of the improvements to the property known as Memorial Field comprised of 12 acres and located on Sandford Blvd. Mr. Jones explained that the groups are meeting next week with the consultants to discuss the current status of the project. He explained that the original plan should still be able to be implemented pending the remediation. They are still waiting for a report from the Department of Environmental Conservation (DEC). He discussed that they received a report from Cornerstone and the results were good and the cleanup should be fairly quick. Legislator Tubiolo discussed that Legislator Lyndon Williams requested to make an addition to the committee report. The additional paragraph should read:

***"The following clarification is made to Paragraph 4 of the First Amendment to the IMA: Paragraph 4 amends Section 2.2 of the IMA to require the City to refund any funds advanced by the County to the City that were not expended pursuant to the approved plans for Memorial Field. The City must make such refund no later than six months from the commencement of public bidding by the County for the Project. Paragraph 4 provides that this six-month period may be modified by the County and the Mayor of the City, in writing, if the City needs additional time to make any refund due to the County. This means that the Mayor may make a written request to the County to modify the six-month period proposing a reasonable time when the City will make such refund to the County. Any refunds made by the City to the County shall be used for improvements to Memorial Field as the funds were intended under the IMA."***

Legislator Borgia gave a brief background of the issues surrounding Memorial Field and explained that this is legislation to give the authorization back to the County to take over the project. Legislator Kaplowitz explained that the Board of Legislators has already authorized bonding of the project and that no additional funding should be needed unless they are requesting a Capital Budget Amendment (CBA). He did explain that this project was bonded several years ago and the project has not moved forward. Legislator Kaplowitz explained that the cost of construction increases yearly and by the time the project is complete the original amount bonded may not be enough to cover the project. He explained the longer this project is stalled the more it will cost the County. They also discussed that this past July, the Board of Legislators authorized the County Attorney to bring up legal action against the City of Mount Vernon if they do not comply with the requests.

The committee went on to discuss the recent monies secured by the State for the project from Assemblyman Pretlow's office. Assemblyman Pretlow is requesting that the County control the funds. Discussion was held regarding adding in language to the committee report but was not decided at this time. The item pending until the committees can get further question asked. No action was taken.

**RESULT: PENDING**

2. **LL-2018-15 Local Law – Amend IMA-Memorial Field-Mount Vernon:**

A LOCAL LAW authorizing the County of Westchester to amend an intermunicipal agreement with the City of Mount Vernon in order to transfer to the County responsibility for the design and construction of the improvements to the property known as Memorial Field comprised of approximately 12 acres and located on Sandford Boulevard.

Joint with B&A.

LAW: Chief Deputy Attorney Stacey Dolgin-Kmetz, Mondaire Jones, Assistant County Attorney

PRC: Deputy Commissioner Peter Tartaglia, Dave DeLucia and Ken Uhle

DPW: 1st Deputy Commissioner Nicoletti

Please refer to item #1. No action was taken.

**RESULT: PENDING**

## II. OTHER BUSINESS

Unfinished Business and any other agenda items to come before the Committee.

## III. RECEIVE & FILE

1. **(ID # 11312) Communication – LEGISLATORS BOYKIN, MAHER AND SHIMSKY: LoHud Article - "Westchester oks \$8.7M to update North County Trailway":**

Forwarding a LoHud article entitled, "Westchester oks \$8.7M to update North County Trailway."

With a motion by Legislator Margaret Cunzio and seconded by Legislator MaryJane Shimsky the item was received and filed with a vote 7-0.

**RESULT: RECEIVED AND FILED**

## ADJOURNMENT

Moved by Legislator Margaret Cunzio and seconded by Legislator Catherine Parker the Committee adjourned by 11:40 AM.