



Committee on Law & Major Contracts

~MINUTES~

Monday, June 3, 2019

9:31 AM

DRAFT

Committee Chair: Lyndon Williams

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

www.westchesterlegislators.com

CALL TO ORDER

Joint with Budget & Appropriations; Parks, Planning & Economic Development; Environment, Health & Energy; and Public Works

With a quorum present, Legislator Lyndon Williams called the meeting to order at 9:45 a.m.

Attendee Name	Title	Status	Arrived
Lyndon Williams	Chair	Present	
Nancy Barr	D6 Legislator	Present	
Gordon A. Burrows	D15 Legislator (Minority Whip)	Present	
Kitley Covill	D2 Legislator	Present	
MaryJane Shimsky	D12 Legislator (Majority Whip)	Present	
Benjamin Boykin	D5 Legislator (Chairman)	Present	

Others In Attendance: CEO: Susan Spear LAW: John Nonna, Melissa Rotini BOL: Jill Axelrod, Committee Coordinator; Legislators: Catherine Borgia, Michael Kaplowitz, Chris Johnson, Damon Maher, Catherine Parker, Alfreda Williams, and David Tubiolo; Chris Crane, Greg Casciato, Jaevon Boxhill, Alie Restiano, Ellen Hendrickx, Beth Lobello, and Malcolm Clark

MINUTES APPROVAL

1. Friday, May 17, 2019 at 8:30 AM

On motion of Legislator Burrows, seconded by Legislator Barr, the minutes were approved by a vote of 6 - 0.

I. ITEMS FOR DISCUSSION

1. **ACT-2019-102 Act – Merestead Lawsuit:**

AN ACT authorizing the County Attorney to commence an action on behalf of the County of Westchester regarding Merestead.

Joint with B & A and Parks

County Attorney John Nonna and Senior Assistant County Attorney Melissa Rotini advised that the County seeks to commence an action under RPAPL section 1955 to remove restrictions in the deed and trust that are contradictory or duplicative to the operation of Merestead. Specifically, the County seeks to remove restrictions on the trust funds to use them for repairs and improvements, free up certain artwork for sale, and relieve the County of certain restrictions on the use of the property. The restrictions which the County seeks to remove are preventing the County from using the property as the donor intended.

With a motion by Legislator Covill, seconded by Legislator Shimsky, the item was approved by a vote of 6 - 0.

RESULT: SIGNED BY COMMITTEE

2. **ACT-2019-111 Act – Consent Order re: Westchester County Airport:**

An ACT authorizing the County, by and through the Commissioner of the Department of Public Works and Transportation or his designee, to enter into a Consent Order in connection with alleged violations of the New York Environmental Conservation Law, and New York State Department of Environmental Conservation regulations at the Westchester County Airport and to apply to the Brownfield Cleanup Program.

Joint with EH&E and Public Works

County Attorney John Nonna, Senior Assistant County Attorney Melissa Rotini, and Susan Spear from the County Executive's office discussed this matter. Mr. Nonna advised that the DEC claimed the County is in violation of general water quality standards related to alleged contamination from PFAS at the airport. After negotiations with the DEC, an agreement was reached that set a penalty of \$37,500, with \$10,000 due upon execution of the consent order and \$27,500 suspended on the condition that the County adheres to the terms and conditions of the consent order. The consent order requires the County to conduct a site characterization work plan. The County's consultants have already been doing this, but it has to be overseen by the DEC. After that, the County will develop additional Interim Remedial Measures to protect the public drinking water from contamination. The order also requires the County apply to the DEC's Brownfield Cleanup Program to remediate any contamination.

With a motion by Legislator Covill, seconded by Legislator Shimsky, the item was approved by a vote of 5 - 0.

RESULT: SIGNED BY COMMITTEE

II. OTHER BUSINESS

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

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Covill and seconded by Legislator Barr, the Committee adjourned at 10:56 a.m.