

WESTCHESTER COUNTY BOARD OF LEGISLATORS
COMMITTEE ON GOVERNMENT OPERATIONS
MEETING MINUTES: MARCH 18, 2008

In Attendance:

Committee Members: Legislators Kenneth Jenkins, Chair; Lois Bronz, William Burton, Gordon Burrows, Peter Harckham, Judy Myers, Vito Pinto, Martin Rogowsky.

Committee Coordinator: Barbara Arrington Dodds

Comm. Larry Salley, Dept. of Transportation; Comm. Joseph Stout, Parks Dept.; Comm. Tom Lauro, Claude Conti, Dept. Environmental Facilities; Comm. Ralph Butler, Dept Public Works.; Rick Cashman, David Vutera, Law Dept.; Sal Carrera, Director, Real Estate & Econ. Dev.; Andrew Neuman, William Randolph, County Exec.'s Office; BOL staff: Christopher Crane, Olivia Rhodes.

With a quorum present, Chair Ken Jenkins called the meeting to order at 1:20 pm. Following the agenda, the items for discussion were explored in order.

Transportation Guests: Sal Carrera and Comm. Salley

31. **EJM Building Lease at Airport** 2/11/08 BA/GO: Proposed Local Law authorizing the County to enter into a new lease agreement with EJM Building Services, LLC for space at the Westchester County Airport. The current lease expires on August 14, 2008. The proposed new lease would cancel the existing lease and replace it with a ten-year lease, with options for two additional ten-year leases, that would include hangar "6" and an additional 9000 sq. ft. of space in Building "11" to use for parking limousines and passenger services. There will be no expansion and an increase in rental income to the county. In his review of the lease, Legislator Rogowsky questioned the phrase "such approval not to be unreasonably withheld" in article 3 of the lease relating to the airport manager's right to withhold approval of EJM operating aircraft over 120,000 lbs. take-off weight. He suggested that this term does not comply with Westchester County rules (sec. 712.421). Mr. Carrera said EJM contends that this language is consistent with their competitors. It was agreed that the phrase will be removed in the lease to read "The Lessee agrees, as a condition of this lease, that it shall not operate, or cause to be operated at the Airport, any aircraft having a maximum gross take-off weight of 120,000 lbs. or more without the proper approval of the Airport Manager." Moved by Legislator Rogowsky and seconded by Legislator Pinto. Approved 8-0.

48. **Philip Morris Lease Amendment – Airport** (3/11/08 BA/GO): Proposed Local Law authorizing the County of Westchester to amend Article 18 of Local Law No. 21-1996 and assign the lease agreement with Philip Morris Management Corp. for hangar space at Westchester County Airport. Philip Morris changed its corporate name to Altria Corporate Services but because ALCS does not meet a required net worth of \$25 billion, the lease provision will be amended to a net worth of \$1 billion for its parent company, Altria Group, Inc., which would guarantee all obligations under the lease. Subsequent planned spinoffs will have Philip Morris International Inc., a subsidiary of Altria, guarantee all obligations under the lease and assign the lease to PMI Global Services Inc. Moved by Legislator Harckham, seconded by Legislator Burrows. Approved 8-0.

Parks Guest: Comm. Stout

38. **IMA - Camp Hemlock - Mountain Lakes Park** (3/11/08 BA/GO): Proposed Act authorizing the County to enter into an intermunicipal agreement with the Town of North Salem whereby the Town shall operate, maintain and improve the existing facilities of the Camp Hemlock area of Mountain Lakes Park in exchange for permission for the Town to utilize the site for a summer camp. Moved by Legislator Harckham, seconded by Legislator Pinto. Approved 8-0

The following three items were removed from the agenda for lack of administration readiness:

30. **Bond Act B0071-Modifications to Building Mangement Systems**. 2/11/08 BA & GO

35. (SI) **Bond Act- SW070 Yonkers Flow Monitoring-\$1,450,000**: Proposed Bond Act authorizing the issuance of \$1,450,000 in bonds to pay the cost of monitoring, maintenance and replacement, as needed, of Existing Flow Monitoring Equipment, Yonkers Sewer District. (SW070) 2/11/08 BA/GO

36. (SI) **Bond Act-SW070 Sound Shore Flow Monitoring-\$5,700,000**: Proposed Bond Act authorizing the issuance \$5,700,000 in bonds of the purchase and installation of flow monitoring devices in the manholes in Blind Brook, Port Chester, Mamaroneck, and New Rochelle Sewer Districts. (SW070) 2/11/08 BA/GO

Public Works Guests: Comm. Butler and Comm. Lauro

39. **Bond Act RB03A - Palmer Road Over Central Park Avenue** (3/11/08 BA/GO): Proposed Bond Act authorizing the issuance of \$4,520,000 in bonds for Capital Project RB03A - Palmer Road over Central Park Avenue, Yonkers. The bond act will fund the cost of design, construction management and construction in connection with rehabilitation of the bridge on Palmer Road, originally built in 1932 and repaired 20 years ago. Moved by Legislator Burrows, seconded by Legislator Burton. Approved 8-0.

40. **Bond Act RB072 - Replacement Highway/Traffic Signage** (3/11/08 BA/GO): Proposed Bond Act authorizing the issuance of \$1,430,000 in bonds for Capital Project RB072 - Replacement of Highway/Traffic Signals. Some 7500 traffic signs on various county roads have exceeded their useful life and reflectivity creating safety and liability issues for the county. Moved by Legislator Pinto, seconded by Legislator Burrows. Approved 8-0.

41. **Bond Act RB098 - Virginia Rd Repaving**: (3/11/08 BA/GO) Proposed Bond Act authorizing the issuance of \$600,000 in bonds for Capital Project RB098 - Virginia Road, CR 35 & 51, North Castle and Mount Pleasant. The bond act funds the cost of design, construction management and construction in connection with rehabilitation of .73 miles of roadway. Work will include resurfacing of the concrete and asphalt roadway and the installation of reflectorized pavement markings from Route 22 to Washington's Headquarters and the county owned portion of the roadway from the Bronx River Parkway to Route 100. Moved by Legislator Bronz, seconded by Legislator Pinto. Approved 8-0.

42. **Bond Act RB099 - Post Road, White Plains**: (3/11/08 BA/GO) Proposed Bond Act authorizing the issuance of \$1,840,000 in bonds for Capital Project RB099 - Post Road, CR 53, White Plains. The bond act funds the cost of design, construction management and construction in connection with rehabilitation of 1.25 miles of roadway on Post Road. Work will include the milling and resurfacing of the asphalt roadway and the installation of reflectorized pavement markings from the Scarsdale Village line to Mamaroneck Avenue. Moved by Legislator Bronz, seconded by Legislator Pinto. Approved 8-0.

43. **Bond Act RB100 - Palmer Avenue and Mt. Pleasant Avenue**: (3/11/08 BA/GO) Proposed Bond Act authorizing the issuance of \$1,370,000 in bonds for Capital Project RB100 - Palmer Avenue and Mount Pleasant Avenue, CR 44, Mamaroneck. The bond act funds the cost of design, construction management and construction in connection with rehabilitation of some .93 miles of roadway including the milling and resurfacing of the asphalt roadway and the installation of reflectorized pavement markings from the Mamaroneck Village town line to Mamaroneck Avenue. Moved by Legislator Myers, seconded by Legislator Harckham. Approved 8-0.

44. **Bond Act RB101 - Wilmot Road, Eastchester**: (3/11/08 BA/GO) Proposed Bond Act authorizing the issuance of \$540,000 in bonds for Capital Project RB101 - Wilmot Road, CR 113, Eastchester. The bond act funds the cost of design, construction management and construction in connection with rehabilitation of some .75 miles of roadway on Wilmot Road and the installation of reflectorized pavement markings from Route 22 to the New Rochelle City Line. Moved by Legislator Pinto, seconded by Legislator Burrows. Approved 8-0.

45. **Bond Act RB103 - Aqueduct Road**: (3/11/08 BA/GO) Proposed Bond Act authorizing the issuance of \$270,000 in bonds for Capital Project RB103 - Aqueduct Road, CR 124, White Plains. The bond act funds the cost of design, construction management and construction in connection with rehabilitation of some.16 miles and the installation of reflectorized pavement markings from Central Park Avenue to the Greenburgh Town line. Moved by Legislator Bronz, seconded by Legislator Burton. Approved 8-0.

46. **Bond Act RB2QQ - Mile Square Road Over Putnam Right of Way:** (3/11/08 BA/GO) Proposed Bond Act authorizing the issuance of \$540,000 in bonds for Capital Project RB2QQ - Mile Square Road over Putnam Right of Way, Yonkers. The bond act funds the cost of design, construction management and construction in connection with the replacement of the bridge on Mile Square Road over the Putnam Right-of-Way in Yonkers (the "Bridge"). The work will include the replacement of the steel superstructure on the Bridge. Moved by Legislator Burrows, seconded by Legislator Pinto. Approved 8-0.
47. **Bond Act RB2UU - Fulton Avenue Bridge Over Hutchinson River:** (3/11/08 BA/GO) Proposed Bond Act authorizing the issuance of \$800,000 in bonds for Capital Project RB2UU - Fulton Avenue Bridge over Hutchinson River, Mount Vernon and Pelham Manor. The bond act funds the cost of design, construction management and construction in connection with the rehabilitation of wearing surfaces and mechanical and electrical components, painting of the bridge, rebalancing the bascule spans and installation of river bank protection. Moved by Legislator Pinto, seconded by Legislator Burton. Approved 8-0.
49. **(SI) Bond Act SY021 - Yonkers Joint Treatment Plant:** Proposed Bond act authorizing the issuance of \$3,650,000 in bonds for Capital Project SY021 - Yonkers Joint Treatment Plant. (3/11/08 BA/GO) This act would amend Bond Act 3-2006 for \$750,000, which was to finance design and construction management, to increase the authorized amount by \$2,900,000 to revise the scope of the Act. Thus this act will fund the cost of construction of the replacement and/or rehabilitation of dewatering equipment for the Yonkers Joint Treatment Plant and fund the design and construction management for equipment replacement including DC back drive motors with AC. DC motors are very sensitive to fluctuations in voltage. Power supplied by the Power Authority and transmitted by Con Edison, while within Con Ed specification guidelines, still has fluctuations that may, at multiple times during the day, cause a shutdown of the DC motors running the centrifuges. Discussion ensued regarding Con Edison liability. In order for this equipment to run properly, Legislator Jenkins asked if we should send Con Ed the bill. Legislator Rogowsky said we should talk to the Public Service Commission about responsibility for costs of motors. Why isn't Con Ed spending money to solve the problem? Legislator Myers suggested the committee approve this act and, at the same time, pursue with the Public Service Commission the question about Con Ed fluctuations that are causing damage to equipment. Comm. Lauro said that the project will save money in future care costs, provide safety from slippery conditions and, from an odor leaking standpoint, ensure environment quality. Moved by Legislator Burrows, seconded by Legislator Burton. Approved 8-0.
59. **(SI) HON. MICHAEL KAPLOWITZ: Sewer District Modification:** (3/11/08 BA/GO) Forwarding a packet of information from the Town of Yorktown requesting modifications to the Peekskill Sanitary Sewer District. (Park Lane, Stony Street, White Hill Street, Crompond Street). Moved by Legislator Pinto, seconded by Legislator Burton. All approved 8-0.

RECEIVED AND FILED:

60. **CLERK OF THE BOARD: Airport Parking:** Forwarding correspondence from the Supervisor of the Town of Greenburgh with regard to parking at the Westchester County Airport. (3/11/08 BA/GO) Legislator Rogowsky pointed out that some 17 years ago the County gave an exclusive 30-year contract for all [valet?] parking rights to the Capelli organization. There is a little over 15 years to go. Moved by Legislator Bronz, seconded by Legislator Burton. Approved 8-0.

Legislator Jenkins confirmed that all members have received the information about the status of the nurses' contract. They are in mediation right now.

The committee will continue to meet at 1 pm on Tuesdays.

Motion to adjourn moved by Legislator Bronz, seconded by Legislator Harckham. Approved 8-0.