

## RESOLUTION

### **RECOMMENDING WESTCHESTER COUNTY BOARD OF LEGISLATORS RENEW AND REAFFIRM, WITH UPDATES, THE TERMINAL USE AGREEMENTS OF COMMERCIAL AIRLINES OPERATING AT WESTCHESTER COUNTY AIRPORT**

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE ALZATE, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, on February 5, 2024, the Village Board of Port Chester, New York appointed representatives Juliana C. Alzate and Janusz R. Richards to serve on the Intermunicipal Airport Master Plan Task Force (Task Force) comprised of representatives of City of Rye, Village of Rye Brook, Village of Port Chester, Town of Greenwich, Town of New Castle, Town of North Castle Town of Rye; and

WHEREAS, the Task Force has met on four occasions in 2024 to deliberate on community concerns related to operations at the Westchester County Airport; and

WHEREAS, the Task Force has unanimously voted in favor of reaffirming the substance of the existing Terminal Use Agreements (TUAs) signed with the airlines, which expire December 31, 2024, pursuant to the 2004 Westchester Country Terminal Use Procedures Law (TUP), as successor and complement to the 1994 Westchester County Airport Terminal Capacity Affirmation and Extension Agreement; and

WHEREAS, the Task Force unanimously supports adjusting the terminal use fees, terminal use operating costs, and ground handling service fees contained in the TUAs to represent current costs to the County; and

WHEREAS, the Task Force unanimously supports compensation of costs for the EMS services provided by Port Chester-Rye-Rye Brook Emergency Medical Services (EMS);

NOW, THEREFORE, BE IT RESOLVED, the Village of Port Chester adopts the findings of the Task Force related to the TUAs and recommends that the Westchester County Board of Legislators negotiate, at its earliest convenience, new TUAs with all commercial airlines operating at the airport, with the following provisions:

1. TUA terms of 20 years or more, possibly with extensions if deemed appropriate by the County, but not less than the current 10 years, with two 5-year extensions.
2. TUA terms of a uniform duration for all TUAs as opposed to a single expiration date.
3. A provision that extends the airlines' agreement not to challenge the validity or legality of the TUP for 90 days following the expiration of the TUAs.

4. Fees and costs enumerated in the current TUAs adjusted to reflect current costs. We leave it to the discretion of the County Legislature whether and to include compensation of EMS costs to the EMS organization as part of the revised TUA or through some other mechanism.

Approved as to Form:



James R. Carpinello, Village Attorney

**ROLL CALL**

**AYES:** Trustees Didden, Grangeniois-Thomas, Carvin, Allen, Alzate and Deputy Mayor Dorazio.

**NOES:** None.

**ABSTAIN:** Mayor Marino.

**RECUSE:** None.

**ABSENT:** None.

**DATE:** August 5, 2024.

**CERTIFICATION OF RECORDS**

STATE OF NEW YORK)

SS:


COUNTY OF WESTCHESTER)

I, Janusz R. Richards, the undersigned Village Clerk of the Village of Port Chester, New York, DO HEREBY CERTIFY.

That I have compared the annexed copy of a resolution adopted by the Board of Trustees of the Village of Port Chester, New York on August 5, 2024, and that the same is a true and correct copy therefrom.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Port Chester, New York this 7, day of August 2024.

(Seal)

  
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Village Clerk,  
Village of Port Chester, New York