

# Law & Major Contracts

## BOL Meeting Minutes - Published Draft



Committee Chair: Damon Maher

800 Michaelian Office Bldg.  
148 Martine Avenue, 8th Floor  
White Plains, NY 10601  
[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

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**Monday, June 12, 2023**

**10:00 AM**

**Committee Room**

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### CALL TO ORDER

Joint with Budget & Appropriations committee.

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/> This website also provides links to materials for all matters to be discussed at a given meeting.

Legislator Colin Smith will be participating remotely from 1132 Main Street, Suite 1, Peekskill, NY 10566.

*With a quorum present, Chair Maher called the meeting to order at 10:18 a.m.*

*Others in Attendance: BOL: Legislators: Jewel Williams Johnson, David Tubiolo, Erika Pierce, and Tyrae Woodson-Samuels; Committee Coordinators: Jill Axelrod and James Silverberg; Law Dept.: John Nonna, Loren Zeitler, Sean Carey, and Daniela Infield*

**Present:** Committee Chair Maher, Legislator Barr, Legislator Gashi, Committee Vice-Chair Imamura and Legislator Parker

**Absent:** Legislator Smith

### MINUTES APPROVAL

Monday, June 5, 2023 at 10:00 a.m.

On motion of Legislator Parker, seconded by Legislator Barr, the minutes were approved. The motion carried unanimously.

Monday, June 5, 2023 at 1:00 p.m.

On motion of Legislator Parker, seconded by Legislator Barr, the minutes were approved. The motion carried unanimously.

### I. ITEMS FOR DISCUSSION

#### 1. [ACT-2023-110](#) **ACT - Lawsuit Settlement of Bonds v. Westchester County**

Guest: Law Dept.: Senior Assistant County Attorney Loren Zeitler

*Mr. Nonna and Ms. Zeitlin discussed the item. Ms. Zeitlin said this was a claim for failure to accommodate and disability discrimination.*

*With a motion by Legislator Imamura seconded by Legislator Barr, the committee went into executive session to discuss litigation strategy and personnel matters at 11:07 a.m. With a motion by Legislator Imamura seconded by Legislator Barr, the committee came out of executive session at 11:25 a.m.*

On motion of Legislator Imamura, seconded by Legislator Barr, the above item was signed by committee and referred to Board of Legislators. The motion carried.

2. [ACT-2023-111](#) **ACT - Compromise of Claim - "M.B."**

Guest: Law Dept.: Associate County Attorney Sean Carey

*Mr. Carey discussed the item.*

On motion of Legislator Barr, seconded by Legislator Imamura, the above item was signed by committee and referred to Board of Legislators. The motion carried unanimously.

3. [ACT-2023-112](#) **ACT - Settlement of Workers' Comp. Benefits - "A.P."**

Guest: Law Dept.: Associate County Attorney Sean Carey

*Mr. Carey discussed the settlement.*

On motion of Legislator Imamura, seconded by Legislator Barr, the above item was signed by committee and referred to Board of Legislators. The motion carried unanimously.

4. [2023-229](#) **ACT - Agreement Amendment with Stephen Einstein & Assoc., P.C. re Legal Collection Services**

Guest: Law Dept: Senior Assistant County Attorney Daniela Infield

*Ms. Infield discussed the item. The legislators had several questions:*

- 1. What is the makeup of the successor firm, Tromberg, Morris & Poulin, PLLC?*
- 2. Why did WCC decide to accept services from the "new firm"?*
- 3. What are the success rates/outcomes for all referred/adjudicated cases?*
- 4. What are WCC's debt collection practices prior to referral of cases to outside counsel?*
- 5. What is the timeline of debt outstanding over the years vs. referrals to counsel?*
- 6. Does outside counsel comply with federal debt collection rules?*

*Ms. Infield said she would reach out to WCC for answers to the legislators' questions.*

This ACT - Amendment to Agreement was continued

5. [ACT-2023-120](#) **ACT - Amendment Agreement with the Wicks Group re: County Airport**

County Attorney John Nonna

*Mr. Nonna discussed the item. He said they have a conference with the judge to discuss making a motion for summary judgment. The Wicks Group has not appeared in the case yet; the County Attorney's office is handling it internally. They would like to rely on the advice and expertise of the Wicks Group regarding certain aspects of federal aviation law, including whether our Terminal Use Agreement has been grandfathered into the Airport Noise Act. He suggested that the committees go into executive session to discuss litigation strategy.*

*With a motion by Legislator Imamura seconded by Legislator Barr, the committee went into*

*executive session at 11:27 a.m. With a motion by Legislator Imamura seconded by Legislator Barr, the committee came out of executive session at 11:34 a.m.*

On motion of Legislator Barr, seconded by Legislator Imamura, the above item was signed by committee and referred to Board of Legislators. The motion carried unanimously.

## **II. OTHER BUSINESS**

## **III. RECEIVE & FILE**

## **ADJOURNMENT**

Moved by Legislator Imamura, seconded by Legislator Parker, the Committee adjourned at 11:37 a.m.

DRAFT