

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

Wednesday, September 28, 2022

10:00 AM

Committee Room

CALL TO ORDER

Joint with Budget & Appropriations committee

Chairwoman Catherine Borgia will be participating remotely from Clear View School and Day Treatment Center, 480 Boston Post Road, Briarcliff, NY, 10510.

Please note: This meeting will be held in person at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 in the McPoland Conference Room # 824 and also remotely via WebEx. Legislators may participate in person or via video conferencing through WebEx. Members of the public are invited to attend the meeting in person at any of its locations or view it online at the Westchester Legislators website:

<https://westchestercountyny.legistar.com/Calendar.aspx>. This website also has links to the Agenda Packets containing documents to be discussed at the meeting.

With a quorum present, Chair Maher called the meeting to order at 11:53 a.m.

Others in attendance: BOL: Committee Coordinators: Jill Axelrod and Anand Singh; Law Dept.: Mark Gardner

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

Absent: Legislator Shimsky

MINUTES APPROVAL

Monday, September 12, 2022 at 9:30 a.m.

On motion of Legislator Barr, seconded by Legislator Smith, the above item was approved. The motion carried by the following vote:

Aye: Committee Chair Maher, Legislator Barr, Committee Vice-Chair Gashi, Legislator Parker and Legislator Smith

Absent: Legislator Shimsky

I. ITEMS FOR DISCUSSION

1. [ACT-2022-128](#) ACT - Lawsuit Settlement of Dewaters v. County of Westchester

Guest: Law Dept.: Mark Gardner, Senior Assistant County Attorney

Mr. Gardner discussed the case. He said that on August 22, 2017, a 63-year-old woman walking in the crosswalk on Warburton Avenue in Yonkers was struck by a bus. She was

taken by ambulance to St. John's Hospital, where she stayed for five days. He said that a settlement of \$100,000 is fair since cases like this routinely settle for \$300,000 or more. The driver was disciplined and terminated, but he appealed, and was reinstated. He had to undergo training, and forfeited two and a half weeks of his salary.

Legislator Barr asked if the driver has had any additional accidents since the training. Mr. Gardner said he will look into it and let her know.

On motion of Legislator Smith, seconded by Legislator Barr, the above item was signed by committee. The motion carried by the following vote:

Aye: Committee Chair Maher, Legislator Barr, Committee Vice-Chair Gashi, Legislator Parker and Legislator Smith

Absent: Legislator Shimsky

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Barr, seconded by Legislator Parker, the Committee adjourned at 12:05 p.m. by the following vote:

Aye: Committee Chair Maher, Legislator Barr, Committee Vice-Chair Gashi, Legislator Parker and Legislator Smith

Absent: Legislator Shimsky