



Law & Major Contracts

BOL Meeting Minutes - Published Draft

Committee Chair: Damon Maher

800 Michaelan Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Monday, March 28, 2022

1:00 PM

Committee Room

CALL TO ORDER

Joint with Legislation committee

This meeting was held pursuant to Chapter 1 of the Laws of 2022 and Governor Hochul's Executive Order 11.4, which authorizes any public body "to meet and take such action authorized by law without permitting in public in-person access to meetings and authorize such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed. To access the meeting, please visit: <https://westchestercountyny.legistar.com>.

With a quorum present, Legislator Shimsky called the meeting to order at 1:08 p.m.

Others in attendance: BOL: Legislators: Ben Boykin, Erika Pierce, and Jewel Williams Johnson; Committee Coordinators: Jill Axelrod and Anand Singh; Melanie Montalto; and Amy Vele

Present: Committee Vice-Chair Gashi, Legislator Shimsky and Legislator Smith

Absent: Committee Chair Maher

Remote: Legislator Barr, Legislator Borgia and Legislator Parker

MINUTES APPROVAL

Monday, March 7, 2022 at 10:00 a.m.

On motion of Legislator Smith, seconded by Legislator Shimsky, the minutes were approved. The motion carried by the following vote:

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

Absent: Committee Chair Maher

Monday, March 21, 2022 at 10:00 a.m.

On motion of Legislator Smith, seconded by Legislator Shimsky, the minutes were approved. The motion carried by the following vote:

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

Absent: Committee Chair Maher

I. ITEMS FOR DISCUSSION

1. [RES-2022-41](#) **PH - A Local Law to Clarify the Retention of Outside Counsel**

Guest: Deputy County Attorney Justin Adin

Deputy County Attorney Justin Adin said that the law states that no "board, body, commission or department of the county shall have or employ any attorney or counsel at the expense of the county unless specifically authorized to do so by the County Board." The phrase "at the expense of the county" could be interpreted to mean that county officers or employees could obtain pro bono legal services without seeking approval from the County Board, which would conflict with the first sentence of the provision which provides that the County Attorney shall be the legal advisor for the County. Mr. Adin said that to ensure a consistent interpretation of this section, the Law Department wants to remove "at the expense of the county."

Legislator Cunzio said the language referencing the County Attorney as "he" should be replaced with "he or she" to allow for a female County Attorney in the future. Legislator Shimsky said that replacing "he" with "County Attorney" would solve this problem. Mr. Adin said he would amend the legislation accordingly.

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

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

Absent: Committee Chair Maher

2. [LL-2022-3](#) **LL - To Clarify the Retention of Outside Counsel**

Guest: Deputy County Attorney Justin Adin

See discussion of Item #1 above.

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

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

Absent: Committee Chair Maher

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Shimsky, seconded by Legislator Smith, the Committee adjourned at 1:21 p.m. by the following vote:

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

Absent: Committee Chair Maher