

Law & Major Contracts

BOL Meeting Minutes - Final



Committee Chair: Nancy Barr

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

Wednesday, April 21, 2021

10:00 AM

Committee Room

CALL TO ORDER

Joint with Budget & Appropriations

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

Pursuant to Governor Andrew Cuomo's Executive Order No. 202.1, "Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency," which temporarily suspends portions of the New York State Open Meetings Law. A section of the order, "Suspension of law allowing the attendance of meetings telephonically or other similar services," provides for the suspension of "Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing 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."

Others in attendance: BOL: Legislator Damon Maher, Legislators (Remote): Catherine Parker, David Tubiolo, Alfreda Williams, and Ruth Walter, Committee Coordinators: Jill Axelrod and Alie Restiano, Lisa Hochman LAW: John Nonna, Loren Zeitler

Present: Committee Vice-Chair Barr, Legislator Boykin and Legislator Covill

Absent: Legislator Gashi

Remote: Legislator Alvarado, Committee Vice-Chair Shimsky and Legislator Smith

MINUTES APPROVAL

April 12, 2021 at 10:00 a.m.

On motion of Legislator Alvarado, seconded by Legislator Smith, the minutes were approved. The motion carried unanimously.

I. ITEMS FOR DISCUSSION

Guests: County Attorney John Nonna and Senior Assistant County Attorney Loren Zeitler

1. [ACT-2021-61](#) **ACT - Retention of law firm Napoli Shkolnik PLLC**

Mr. Nonna and Ms. Zeitler advised that the County wants to join an action filed by the law firm of Napoli Shkolnik on behalf of 14 New York Counties against generic pharmaceutical companies for price fixing and antitrust violations. The County Attorney's office does not have the resources to maintain such a large, complex action, and wants to retain Napoli Shkolnik to be of counsel.

With a motion by Legislator Covill seconded by Legislator Shimsky, the committee went into executive session to discuss litigation strategy at 10:31 a.m. With a motion by Legislator Smith seconded by Chairman Boykin, the committee came out of executive session at 10:49 a.m.

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

Aye: Committee Vice-Chair Barr, Legislator Boykin, Legislator Covill, Committee Vice-Chair Shimsky and Legislator Smith

Absent: Legislator Alvarado and Legislator Gashi

2. [ACT-2021-62](#) **ACT - CA to join County of Westchester as Plaintiff (Generic Pharm Companies)**

See discussion of ID #2021-265 above.

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

Aye: Committee Vice-Chair Barr, Legislator Boykin, Legislator Covill, Committee Vice-Chair Shimsky and Legislator Smith

Absent: Legislator Alvarado and Legislator Gashi

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Covill, seconded by Legislator Boykin, the Committee adjourned at 10:53 a.m.