



Kenneth W. Jenkins
County Executive

Office of the County Attorney

John M. Nonna
County Attorney

September 24, 2025

Westchester County Board of Legislators
800 Michaelian Office Building
148 Martine Avenue, 8th Floor
White Plains, New York 10601

Dear Honorable Members of the Board:

I respectfully request that your Honorable Board adopt "An ACT of the Westchester County Board of Legislators amending Chapter 295 of the Laws of Westchester County to conform the County's law governing liability and casualty reserve fund payments to New York State's corresponding law."

In 1986, your Honorable Board enacted Chapter 295 of the Laws of Westchester County, creating the County's Liability and Casualty Reserve Fund, ("Chapter 295"), known as the County's "6-n Fund," to act as a self-insurance fund in accordance with Section 6-n of the New York State General Municipal Law ("the State Law").

As enacted, Chapter 295 only discusses expenditures from the 6-n Fund for settlements of claims and litigation. However, the State Law authorizes payments from the 6-n Fund for additional expenditures, including for the uninsured portion of losses (such as deductible payments) for property damage, and other insurable events. As the State Law specifically authorizes these expenditures, it is unclear if their absence from Chapter 295 impacts the County's ability to pay these expenditures from the 6-n Fund.

The proposed Local Law amends Chapter 295 to include all expenditures authorized under the State Law, in order to eliminate this ambiguity. As such, I respectfully request that this Honorable Board adopt the proposed legislation.

Sincerely,

A handwritten signature in blue ink, appearing to read "John M. Nonna", written over a horizontal line.

John M. Nonna
County Attorney

JN/mg
Enclosure

TO: BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee has reviewed “A LOCAL LAW amending Chapter 295 of the Laws of Westchester County to conform the County’s law governing liability and casualty reserve fund payments to New York State’s corresponding law.”

Your Committee notes that, in 1986, this Honorable Board enacted Chapter 295 of the Laws of Westchester County, creating the County’s Liability and Casualty Reserve Fund (“Chapter 295”), known as the County’s “6-n Fund,” to act as a self-insurance fund in accordance with Section 6-n of the New York State General Municipal Law (“the State Law”). As enacted, Chapter 295 only discusses expenditures for settlements of claims and litigation. However, the State Law authorizes additional expenditures, including for the uninsured portion of losses (such as deductible payments) for property damage, and other insurable events. As the State Law specifically authorizes these expenditures, it is unclear if their absence from Chapter 295 impacts the County’s ability to pay these expenditures from the 6-n Fund.

Your Committee is informed that the proposed Local Law amends Chapter 295 to include all expenditures authorized under the State Law, in order to eliminate this ambiguity.

Your Committee is informed that the proposed legislation does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 14, 2025, which is on file with the Clerk of the Board of Legislators. Your Committee

concur in this conclusion.

In light of all of the foregoing, your Committee recommends the adoption of this Local Law.

Dated: 2025 White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

SUBJECT: Amendment to Chapter 295

☒ NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

☐ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$ -

Source of Funds (check one): ☐ Current Appropriations ☐ Transfer of Existing Appropriations

☐ Additional Appropriations ☐ Other (explain)

Identify Accounts: N/A

Potential Related Operating Budget Expenses: Annual Amount N/A

Describe: A Local Law amending Chapter 295 of the Laws of Westchester County to conform the County's law governing liability and casualty reserve fund payments to New York State's corresponding law.

Potential Related Operating Budget Revenues: Annual Amount N/A

Describe: _____

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: N/A

Next Four Years: N/A

Prepared by: Patricia Haggerty

Title: Sr. Budget Analyst

Department: Budget

Date: September 23, 2025

Reviewed By: *PH*

Budget Director

Date: 9/23/25

RESOLUTION NO. ____ – 2025

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. ____ - 2025, entitled “A LOCAL LAW amending Chapter 295 of the Laws of Westchester County to conform the County’s law governing liability and casualty reserve fund payments to New York State’s corresponding law”. The public hearing will be held at __.m. on the ____ day of _____, 2025 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.