

Law & Major Contracts

BOL Meeting Minutes - Published Draft



Committee Chair: Colin Smith

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

Monday, November 24, 2025

2:00 PM

Committee Room

Joint with B&A

CALL TO ORDER

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 Smith called the meeting to order at 2:06 p.m.

Others in Attendance: BOL: Legislators: Jewel Williams Johnson, Erika Pierce, David Tubiolo, Judah Holstein, and Shanae Williams; Committee Coordinators: Jill Axelrod and James Silverberg; GUESTS: Law Dept.: John Nonna, Mark Gardner, and John Fico

Present: Legislator Imamura, Legislator Ulaj and Legislator Smith

Absent: Legislator Woodson-Samuels and Legislator Barr

MINUTES APPROVAL

Monday, November 10, 2025 at 10:00 a.m.

On motion of Legislator Ulaj, seconded by Legislator Imamura, the minutes were approved. The motion carried unanimously.

I. ITEMS FOR DISCUSSION

1. 2025-489 ACT - Lawsuit Settlement Hoffman/Silverman v. Westchester County

Guest: Law Dept.: Deputy County Attorney John Fico

Mr. Fico said that the original demand from the plaintiff was \$3 million, but after six months of negotiations, the parties agreed to settle for \$200,000 for all claims, including attorneys' fees.

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

2. 2025-490 ACT - Lawsuit Settlement Roberts v. Liberty Lines Transit, Inc.

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

Mr. Gardner discussed the facts of the case. He said the County's decision to settle was based on several factors: the case was venued in the Bronx, where large settlements are common and the staged accident defense is not looked on favorably; the plaintiff had a good attorney; and the Liberty Lines bus driver had died in an auto accident prior to the settlement.

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

3. 2025-500 ACT - Amendment to Legal Counsel Agreement re: Westchester County Charter Revision Commission

Guest: Law Dept.: County Attorney John Nonna

Mr. Nonna said that the Law Department is requesting an increase of \$100,000 to the not-to-exceed amount authorized under the agreement because there is a lot more work that needs to be done legally. He noted that the Charter Revision Commission is considering over 120 items. He added that these funds are coming out of the Law Department budget.

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

4. 2025-501 ACT - Amendment Agreement with McCarthy Fingar LLP

Guest: Law Dept.: County Attorney John Nonna

Mr. Nonna explained that the additional payment is needed for legal work required when the County had to open a trust account under the settlement agreement regarding Merestead. He said that Orange Bank had questions to determine what the County's rights were to withdraw money from the trust and how the trust would be set up.

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

5. 2025-502 ACT - Enter into Agreement with Broadfield US LLP

Guest: Law Dept.: County Attorney John Nonna

Mr. Nonna said that the County Attorney's office wants to retain the law firm of Broadfield US LLP as "of counsel" in connection with the EPA's claim for costs for investigating contamination levels on property in Mt. Kisco and legal issues relating to part of the County Trunk Sanitary Sewer System located in Hastings-on-Hudson. The law firm's lead environmental attorney is Edward Smith.

With a motion by Legislator Imamura seconded by Legislator Ulaj, the committee voted unanimously to go into executive session to discuss legal advice at 2:16 p.m. With a motion by Legislator Imamura seconded by Legislator Ulaj, the committee voted unanimously to come out of executive session at 2:18 p.m.

Legislator Imamura disclosed that Ed Smith was previously a partner in the law firm where Legislator Imamura currently works. Legislator Imamura said that it was decided that he does not need to recuse himself from voting on this item since Mr. Smith is no longer employed at his firm.

On motion of Legislator Imamura, seconded by Legislator Ulaj, 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 Ulaj, the Committee adjourned at 2:40 p.m.

DRAFT