

Budget & Appropriations Meeting Agenda



Committee Chair: Tyrae Woodson-Samuels

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

Monday, February 9, 2026

10:00 AM

Committee Room

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, 8th Floor, White Plains, New York, 10601, and livestreamed 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 the meeting and its video recording online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/>. This website also provides the links to documents to be discussed at a given meeting.

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [2026-13](#) **BOND ACT(Amended)-RBR07-Bronx River Pathway Reconstruction**

A BOND ACT (Amended) authorizing the issuance of an additional ONE MILLION, SEVEN HUNDRED THOUSAND (\$1,700,000) DOLLARS in bonds of Westchester County making the total amount ELEVEN MILLION, ONE HUNDRED THIRTY THOUSAND (\$11,130,000) DOLLARS to finance Capital Project RBR07 - Bronx River Pathway Reconstruction.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND INFRASTRUCTURE & HOUSING

Joint w/I&H

Guest: Dept of PRC: Robert Lopane, Director of Park Planning.

Budget Dept.: Dianne Vanadia, Associate Director

2. [2026-40](#) **CBA-RP056-Playland Infrastructure, Rides and Site Work**

AN ACT amending the 2025 County Capital Budget Appropriations for Capital Project RP056 - Playland Infrastructure, Rides and Site Work.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, INFRASTRUCTURE & HOUSING AND PARKS & ENVIRONMENT

Joint w/I&H and PE

Law Dept.: Assistant Chief Deputy County Attorney Justin Adin

Budget Dept.: Christina Rampata, Deputy Director, Dianne Vanadia, Associate Director

3. [2026-41](#) **2025 Operating Budget Amendment-RP056-Playland Infrastructure, Rides and Site Work**

AN ACT to amend the 2025 Operating Budget in connection with Capital Project RP056 - Playland Infrastructure, Rides and Site Work.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, INFRASTRUCTURE & HOUSING AND PARKS & ENVIRONMENT

Joint w/I&H and PE

Law Dept.: Assistant Chief Deputy County Attorney Justin Adin

Budget Dept.: Christina Rampata, Deputy Director, Dianne Vanadia, Associate Director

4. [2026-42](#) **BOND ACT(Amended)-RP056-Playland Infrastructure, Rides and Site Work**

A BOND ACT (Amended) to increase the amount of bonds authorized by Bond Act No. 83-2025 in connection with the resolution of a dispute entitled "Arbitration between the County of Westchester and Standard Amusements LLC a.k.a. Arbitration Proceeding." This would authorize the issuance of THIRTY-SIX MILLION, FIVE HUNDRED NINETEEN THOUSAND, TWO HUNDRED NINETY-FOUR (\$36,519,294) DOLLARS in bonds of Westchester County.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, INFRASTRUCTURE & HOUSING AND PARKS & ENVIRONMENT

Joint w/I&H and PE

Law Dept.: Assistant Chief Deputy County Attorney Justin Adin

Budget Dept.: Christina Rampata, Deputy Director, Dianne Vanadia, Associate Director

5. [2026-23](#) **ACT - Workers Comp Settlement M.S.**

AN ACT authorizing the County Attorney and the Commissioner of Finance to compromise the liability of the County of Westchester and pay a reduced lump sum to a former County employee in lieu of future payments.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND LITIGATION

Joint w/LIT

Guest: Law Dept.: Associate County Attorney Sean Carey

6. [2026-24](#) ACT - Insurance Settlement Claims

AN ACT authorizing the County Attorney to settle the insurance claims and resulting insurance coverage dispute with Berkshire Hathaway Direct Insurance Company, f/k/a American Centennial Insurance Company ("ACIC"), for THREE HUNDRED SIX THOUSAND (\$306,000) DOLLARS.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND LITIGATION

Joint w/LIT

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

7. [2026-27](#) ACT - Retainer Amendment with Sheppard Mullin

AN ACT authorizing the County of Westchester to amend a retainer agreement with the law firm of Sheppard, Mullin, Richter & Hampton LLP, for the provision of outside counsel legal services in connection with a default (the "Default") by Custom Marine, Inc. ("Custom") under Department of Public Works & Transportation (the "Department") Contract No. 12-517-REV, in order to increase the authorized not-to-exceed amount of the Agreement by NINE THOUSAND (\$9,000) DOLLARS.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND LITIGATION

Joint w/LIT

Guest: Law Dept.: Assistant Chief Deputy County Attorney Justin Adin

8. [2026-33](#) ACT - Lawsuit Settlement of Jefferson v. Westchester County, etc.

AN ACT authorizing the County Attorney to settle the lawsuit of Syreeta L. Jefferson v. Westchester County; Archdiocese of New York; St. Cabrini Home; Missionary Sisters of the Sacred Heart of Jesus; Redemptorists of the Baltimore Province a/k/a The Redemptorists; and Does 1-10, in the amount of SEVEN HUNDRED FIFTY THOUSAND (\$750,000) DOLLARS, inclusive of attorney's fees.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND LITIGATION

Joint w/LIT

Guests: Law Dept.: Assistant Chief Deputy County Attorney Taryn Langrin, Senior Assistant County Attorney Christine Feimer, and Assistant County Attorney Michael Callan

9. [2026-50](#) ACT - Lawsuit Settlement of Gabari v. Westchester County, et al.

AN ACT authorizing the County Attorney to settle the lawsuit of Melanie Gabari v. The County of Westchester, Jeffrey Munson, George Munson and Carol Munson in the amount of SEVEN HUNDRED FIFTY THOUSAND (\$750,000) DOLLARS, inclusive of attorney's fees.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND LITIGATION

LITIGATION

Joint w/LIT

Guests: Law Dept.: Assistant Chief Deputy County Attorney Taryn Langrin; David Chen, Esq., Bleakley Platt

10. [2026-55](#) ACT - Lawsuit Settlement Pompey v. Westchester County

AN ACT authorizing the County Attorney to settle the lawsuit of Pompey v. Westchester County in the amount of TWO HUNDRED THOUSAND (\$200,000) DOLLARS, inclusive of all costs and attorney fees.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND LITIGATION

Joint w/LIT

Guests: Law Dept.: Assistant Chief Deputy County Attorney Justin Adin; Lalit Loomba, Esq., Quinn Law Firm

II. OTHER BUSINESS**III. RECEIVE & FILE****ADJOURNMENT**



Kenneth W. Jenkins
Westchester County Executive

January 21, 2026

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is an amended bond act (“Amended Bond Act”), which, if adopted by your Honorable Board, would authorize the County of Westchester (“County”) to issue additional bonds to finance the following capital project:

RBR07 – Bronx River Pathway Reconstruction (“RBR07”).

The Amended Bond Act, in the total amount of \$11,130,000, which includes \$9,430,000 in previously authorized bonds of the County, would finance the cost of design, construction and construction management of improvements to the Bronx River Reservation pathway and related infrastructure from the Kensico Dam Plaza to Green Acres Avenue, including rehabilitation and improvements to all pathway infrastructure including pathway pavement, footbridges, railings, stone walls, site furnishings, signage, pavement markings, grading, drainage, planting and other associated site work.

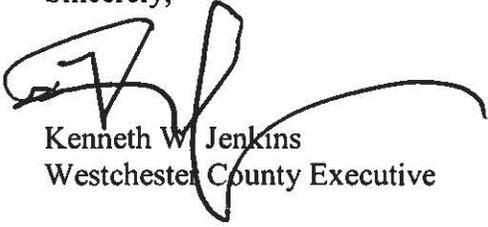
The Department of Parks, Recreation and Conservation (“Department”) has advised that recent market volatility in construction material supplies, combined with the site’s remote location have led to significant construction cost increases. Additional funds are required to award the project to a contractor and to accommodate cost increases.

Design work was completed by in-house staff and consultants. It is estimated that construction will take eighteen months to complete and will begin after award and execution of construction contracts.

It should be noted that your Honorable Board has authorized the County to issue bonds for RBR07 as indicated in the annexed fact sheet and as follows: Bond Act No. 109-2025 in the amount of \$9,430,000 was authorized to finance the above-referenced scope of work. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 109-2025 be amended to increase the amount authorized by \$1,700,000, for a total authorized amount, as amended, of \$11,130,000.

Based on the importance of this project to the County, favorable action on the proposed Amended Bond Act is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. W. Jenkins', with a long, sweeping horizontal line extending to the right.

Kenneth W. Jenkins
Westchester County Executive

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK**

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester (“County”) of an amended bond act (“Amended Bond Act”) which, if adopted, will authorize the County to issue up to \$1,700,000 in additional bonds of the County to finance capital project RBR07 – Bronx River Pathway Reconstruction (“RBR07”).

The Amended Bond Act in the total amount of \$11,130,000 was prepared by the law firm Hawkins, Delafield & Wood, and includes \$9,430,000 in previously authorized bonds of the County. The Amended Bond Act would finance the cost of design, construction and construction management of improvements to the Bronx River Reservation pathway and related infrastructure from the Kensico Dam Plaza to Green Acres Avenue, including rehabilitation and improvements to all pathway infrastructure including pathway pavement, footbridges, railings, stone walls, site furnishings, signage, pavement markings, grading, drainage, planting and other associated site work.

The Department of Parks, Recreation and Conservation (“Department”) has advised that recent market volatility in construction material supplies, combined with the site’s remote location have led to significant construction cost increases. Additional funds are required to award the project to a contractor and to accommodate cost increases.

Design work was completed by in-house staff and consultants. It is estimated that construction will take eighteen months to complete and will begin after award and execution of construction contracts.

It should be noted that your Honorable Board has authorized the County to issue bonds for RBR07 as indicated in the annexed fact sheet and as follows: Bond Act No. 109-2025 in the amount of \$9,430,000 was authorized to finance the above-referenced scope of work. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 109-2025 be amended to increase the amount authorized by \$1,700,000, for a total authorized amount, as amended, of \$11,130,000.

The Planning Department has advised your Committee that based on its review, RBR07 may be classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

Your Committee has carefully considered the Amended Bond Act, and recommends approval of the Amended Bond Act. It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Amended Bond Act.

Dated: _____, 20____.
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RBR07

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 11,130,000 **PPU** 15 **Anticipated Interest Rate**

Anticipated Annual Cost (Principal and Interest): \$ 934,731

Total Debt Service (Annual Cost x Term): \$ 14,020,965

Finance Department: maab 1-15-2026

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

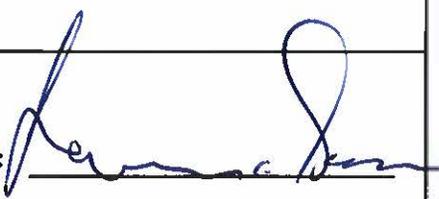
Number of Full Time Equivalent (FTE) Jobs Funded: 120

Prepared by: Robert C. Lopane

Title: Director of Program Development II - P

Department: Parks, Recreation & Conservation

Date: 1/16/26

Reviewed By: 

dv 1/16/26

Budget Director

Date: 1/16/26

TO: Michelle Greenbaum, Senior Assistant County Attorney
Carla Chaves, Senior Assistant County Attorney
Maximilian Zorn, Assistant County Attorney
Maria Baratta, Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: January 13, 2026

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RBR07 BRONX RIVER PATHWAY RECONSTRUCTION**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
12/04/2025 (Unique ID: 3060)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;
- **617.5(c)(8):** maintenance of existing landscaping or natural growth;
- **617.5(c)(9):** construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities.

COMMENTS: None.

DSK/oav

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Blanca P. Lopez, Commissioner of Planning
Peter Tartaglia, First Deputy Commissioner of Parks, Recreation and Conservation
Dianne Vanadia, Associate Budget Director
Robert Lopane, Program Coordinator, Department of Public Works & Transportation
Susan Darling, Chief Planner
Claudia Maxwell, Principal Environmental Planner
Douglas Wessels, Planner

ACT NO. -20_____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED DECEMBER 7, 2021 AND AMENDED ON DECEMBER 11, 2023, OCTOBER 21, 2024, AND FURTHER AMENDED ON JUNE 2, 2025, IN RELATION TO THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO THE BRONX RIVER RESERVATION PATHWAY (Adopted _____, 20_____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$9,430,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the reconstruction of the Bronx River Pathway, pursuant to Act No. 219-2021 duly adopted on December 7, 2021, as amended by Bond Act 248-2023 duly adopted on December 11, 2023, Bond Act 225-2024 duly adopted on October 21, 2024, and further amended by Bond Act 109-2025 duly adopted on June 2, 2025; and

WHEREAS, it has been determined that additional funds are required for to pay for the cost of the Project, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such planning, now therefore

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section (A). The bond act duly adopted by this Board on December 7, 2021 and amended on December 11, 2023, October 21, 2024, and further amended on June 2, 2025 entitled:

“ACT NO. 109-2025

BOND ACT AUTHORIZING THE ISSUANCE OF \$9,430,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO THE BRONX RIVER RESERVATION PATHWAY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$9,430,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$9,430,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$11,130,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO THE BRONX RIVER RESERVATION PATHWAY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$11,130,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$11,130,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20____)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”), the Westchester

County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$11,130,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the planning, construction and construction management of improvements to the Bronx River Reservation pathway and related infrastructure from the Kensico Dam Plaza to Green Acres Avenue, including rehabilitation and improvements to all pathway infrastructure including pathway pavement, footbridges, railings, stone walls, site furnishings, signage, pavement markings, grading, drainage, planting and other associated site work, all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$11,130,000. The plan of financing includes the issuance of \$11,130,000 bonds herein authorized; and any bond anticipation notes issued in anticipation of the sale of such bonds and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of the specific object or purpose for which said \$11,130,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the

proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$11,130,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$11,130,000 as the estimated maximum cost of the aforesaid specific object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation

for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

Section (B). The amendment of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

Section (C). This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on December 7, 2021, amended on December 11, 2023, October 21, 2024 and June 2, 2025 and further amended on _____, 20____ and approved, as amended, by the County Executive on _____, 20____ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the amended Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$11,130,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO THE BRONX RIVER RESERVATION PATHWAY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$11,130,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$11,130,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on December 7, 2021 and amended on December 11, 2023, October 21, 2024, June 2, 2025 and on _____, 20____)

object or purpose: to finance the cost of the planning, construction and construction management of improvements to the Bronx River Reservation pathway and related infrastructure from the Kensico Dam Plaza to Green Acres Avenue, including rehabilitation and improvements to all pathway infrastructure including pathway pavement, footbridges, railings, stone walls, site furnishings, signage, pavement markings, grading, drainage, planting and other associated site work, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued:
and period of probable usefulness: \$11,130,000; fifteen (15) years

Dated: _____, 20____
White Plains, New York

Clerk and Chief Administrative Officer of the County Board
of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:* RBR07	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-02-2026
Fact Sheet Year:* 2026	Project Title:* BRONX RIVER PATHWAY RECONSTRUCTION	Legislative District ID: 3, 10, 5,
Category* RECREATION FACILITIES	Department:* PARKS, RECREATION & CONSERVATION	CP Unique ID: 3060

Overall Project Description

This project will reconstruct approximately 10 miles of asphalt pathway from Kensico Dam Plaza to Greenacres Avenue and Crane Road to Scout Field. The project will also include reconstruction of just over 1 mile of stone dust pathway, pedestrian footbridge renovations, crosswalk improvements, fencing and guiderail improvements, culvert replacement, swale construction, stone masonry, signage, benches and associated site work and landscaping.

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input type="checkbox"/> Infrastructure |
| <input checked="" type="checkbox"/> Life Safety | <input type="checkbox"/> Project Labor Agreement | <input type="checkbox"/> Revenue |
| <input type="checkbox"/> Security | <input type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2026	2027	2028	2029	2030	Under Review
Gross	21,630	9,430	1,700	10,500	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	21,630	9,430	1,700	10,500	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 548

Current Bond Description: This bond request will provide additional funding for construction, construction administration and design support during construction for the 1st phase of improvements to the Bronx River Reservation pathway and related infrastructure from the Kensico Dam Plaza to Green Acres Avenue . There is no change in the scope.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,700,000
Cash:	0
Total:	\$ 1,700,000

SEQR Classification:

TYPE II

Amount Requested:

1,700,000

Expected Design Work Provider:

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> County Staff | <input checked="" type="checkbox"/> Consultant | <input type="checkbox"/> Not Applicable |
|--|--|---|

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2022	1,800,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT
2024	6,930,000	FUNDS PHASE 1 CONSTRUCTION
2025	700,000	FUNDS PHASE 2 DESIGN
2026	1,700,000	ADDITIONAL CONSTRUCTION AND CONSTRUCTION MANAGEMENT

Total Appropriation History:

11,130,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	219	0	0	BRONX RIVER PATHWAY RECONSTRUCTION
23	248	0	0	
24	224	0	0	
24	225	0	0	
25	109	9,430,000	0	

Total Financing History:

9,430,000

Recommended By:

Department of Planning
DVWA

Date
12-04-2025

Department of Public Works
RJB4

Date
12-05-2025

Budget Department
DEV9

Date
12-05-2025

Requesting Department
RCL3

Date
12-08-2025

BRONX RIVER PATHWAY RECONSTRUCTION (RBR07)

User Department : Parks, Recreation & Conservation
Managing Department(s) : Parks, Recreation & Conservation ; Public Works ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project has historical implications. Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2026	2027	2028	2029	2030	Under Review
Gross	21,630	9,430	524	1,700	10,500				
Non County Share									
Total	21,630	9,430	524	1,700	10,500				

Project Description

This project will reconstruct approximately 10 miles of asphalt pathway from Kensico Dam Plaza to Greenacres Avenue and Crane Road to Scout Field. The project will also include reconstruction of just over 1 mile of stone dust pathway, pedestrian footbridge renovations, crosswalk improvements, fencing and guiderail improvements, culvert replacement, swale construction, stone masonry, signage, benches and associated site work and landscaping.

Current Year Description

The current request funds additional Phase 1 construction costs.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2026	1,700,000			1,700,000

Impact on Operating Budget

The impact on the Operating Budget is the debt service associated with the issuance of bonds.

Appropriation History

Year	Amount	Description	Status
2022	1,800,000	Design, construction and construction management	COMPLETE
2024	6,930,000	Funds Phase 1 construction	CONSTRUCTION
2025	700,000	Funds Phase 2 design	DESIGN
Total	9,430,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	9,430,000		9,430,000
Total	9,430,000		9,430,000

**BRONX RIVER PATHWAY RECONSTRUCTION
(RBR07)**

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
219 21				
248 23				
224 24				
225 24				
109 25	9,430,000			9,430,000
Total	9,430,000			9,430,000



Kenneth W. Jenkins
County Executive

January 21, 2026

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval are two Acts, which, if adopted, would authorize the County of Westchester ("County") to amend the 2025 Operating Budget and the 2025 Capital Budget in connection with capital project RP056 - Playland Infrastructure, Rides and Site Work ("RP056"), as well as adopt a bond act amendment to increase the amount of bonds authorized by Bond Act No. 83-2025 in connection with the resolution of a dispute entitled *Arbitration between the County of Westchester and Standard Amusements LLC* (hereinafter referred to as the "Arbitration Proceeding").

As your Honorable Board will recall, on April 12, 2021 the Board of Legislators adopted an Act authorizing the County to enter into a Second Restated and Amended Playland Management Agreement (the "Second Restated Agreement") with Standard Amusements LLC ("Standard"). The Second Restated Agreement was duly executed on or about July 22, 2021. On January 21, 2025, the County received a Notice of Termination from Standard effective February 20, 2025, which purported to terminate the Second Restated Agreement. Thereafter on February 4, 2025 the County sent a letter to Standard's attorneys escalating the dispute to arbitration pursuant to Section 43(ii) of the Second Restated Agreement.

The arbitration resulted in decisions that: (i) the County was entitled to notice and opportunity to cure any default; (ii) Standard's termination was invalid for failure to provide said notice and opportunity; (iii) Standard was in default for abandoning Playland; (iv) the County validly terminated the Second Restated Agreement on February 22, 2025; and (v) Standard was only entitled to liquidated damages as a result of its default under Section 23B(ii)(a). Separately, the arbitrators held that the County could not bring a separate claim against Standard relating to ride maintenance or the conditions of Playland, finding that any such claim was subsumed by the liquidated damages provision.

Based upon the arbitrators' decision, it was established that the termination date was February 22, 2025 and that payment of liquidated damages was required to be made within 90 days from the date of termination, *to wit*: May 23, 2025, otherwise pursuant to Section 23B of the Second Restated Agreement, interest would accrue at eighteen (18%) percent compounding annually. In order to reduce interest exposure, the County made a payment on or about May 20, 2025 of \$24,000,000 toward the liquidated damages. On November 21, 2025, the County made another payment of \$12,000,000 toward the balance of the liquidated damages. These two payments covered all remaining liquidated damages, including credits for monies owed to the County by

Standard (and interest thereon), and a portion of the interest owed to Standard under Section 23B, representing interest that accrued between May 23, 2025 and November 21, 2025. As a result of the foregoing, the County owes Standard a remaining balance of \$519,294 representing remaining interest on the liquidated damages.

An operating budget amendment is necessary to increase the previous 2025 appropriation for interest cost by \$519,294 and decrease the previous 2025 appropriation for the capital cost of RP056 by \$27,710,000, for a net reduction in operating of \$27,190,706. This reduction reflects the re-classification of eligible capital expenditures and the added settlement costs for interest.

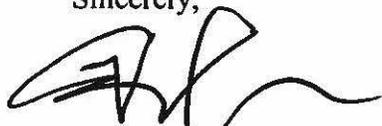
A capital budget amendment is necessary to increase the previous 2025 appropriation for RP056 from \$12,000,000 to \$39,710,000, an increase of \$27,710,000.

In order to issue bonds to pay for the full amount of the liquidated damages and interest, a bond act amendment is required to increase the amount of bonds authorized by Bond Act No. 83-2025 from \$36,000,000 to a new total of \$36,519,294.

Section 167.131 of the Laws of Westchester County mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. The Planning Department has advised that the Planning Board review is not needed as this is a financing change related to reclassification of eligible capital expenditures from the 2025 operating budget.

As the passage of the attached operating budget amendment, capital budget amendment and bond act amendment are in the best interests of the County and necessary to fund the resulting order of the Arbitration Proceeding, I most respectfully recommend and urge your Honorable Board's approval.

Sincerely,



Kenneth W. Jenkins
County Executive

KWJ/TSA/nn

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK**

Your Committee is in receipt of a transmission from the County Executive recommending approval of two Acts, which, if adopted, would authorize the County of Westchester (“County”) to amend the 2025 Operating Budget and the 2025 Capital Budget in connection with capital project RP056 - Playland Infrastructure, Rides and Site Work (“RP056”), as well as adopt a bond act amendment to increase the amount of bonds authorized by Bond Act No. 83-2025 in connection with the resolution of a dispute entitled *Arbitration between the County of Westchester and Standard Amusements LLC* (hereinafter referred to as the “Arbitration Proceeding”).

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Section 167.131 of the Laws of Westchester County mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. The Planning Department has advised that the Planning Board review is not needed as this is a financing change related to reclassification of eligible capital expenditures from the 2025 operating budget.

The Department of Planning has advised your Committee that based on its review, of the proposed acts described above do not meet the definition of an "action" under the State Environmental Quality Review Act, and its implementing regulations, 6 NYCRR Part 617

("SEQR"). Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

Your Committee has carefully considered the proposed operating budget amendment, capital budget amendment, as well as the related bond act amendment, and recommends approval of these proposed Acts, noting that the bond act amendment can only be enacted following adoption of the capital budget amendment. It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County's Capital Budget and to adopt the bond act amendment.

Dated: _____, 2026
White Plains, New York

COMMITTEE ON

c/tsa 1.21.26

TO: Tami Altschiller, Assistant Chief Deputy County Attorney
Department of Law

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: January 20, 2026

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR STANDARD
AMUSEMENT SETTLEMENT - BUDGET AMENDMENTS & BOND ACT**

The Planning Department has reviewed the subject action in accordance with the New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617 (SEQR).

The action involves amendments to the County's Operating Budget and Capital Budget as well as a bond act under Capital Project RP056 (Fact Sheet #3140) to finance the cost of payment of compromised or settled claims against the County in the matter of *Arbitration between the County of Westchester and Standard Amusements LLC*.

In 2025, Act No. 83 was passed by the Board of Legislators to finance the total payment via bond proceeds under the Operating Budget. The proposed budget amendments will re-classify eligible capital expenditures associated with the settled claims from the Operating Budget to the County Capital Budget. Eligible capital expenditures consist of ride- and site-related improvements at Playland Amusement Park that were undertaken by Standard Amusement, LLC during its management of the County park. In accordance with the management agreement, Standard Amusements, LLC provided the County with an annual list of proposed capital improvements, which were reviewed and determined to be Type II actions.

In addition to reducing the Operating Budget by the amount that is being reclassified to the Capital Budget, the Operating Budget will be adjusted to cover the cost of accrued interest.

Since the proposed actions are purely financial in nature and do not fund any future activities, pursuant to Section 617.2(b) of 6NYCRR Part 617, they do not meet the definition of an "action" as defined by SEQR. As such, no environmental review is required.

Please contact me if you have any questions.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Blanca Lopez, Commissioner of Planning
Dianne Vanadia, Associate Budget Director
Susan Darling, Chief Planner
Claudia Maxwell, Principal Environmental Planner

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RP056

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

2025 CBA

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 27,710,000 **PPU** 12 **Anticipated Interest Rate** 4.12%

Anticipated Annual Cost (Principal and Interest): \$ 2,984,467

Total Debt Service (Annual Cost x Term): \$ 35,813,604

Finance Department: Maab Taxable/Taxempt 1-15-26

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

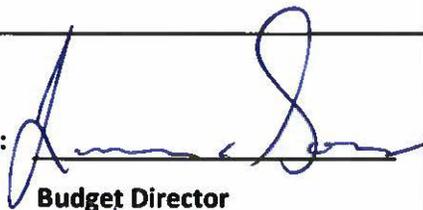
Number of Full Time Equivalent (FTE) Jobs Funded:

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 1/13/26

Reviewed By:  _____
Budget Director

Date: 1/21/26

An Act amending the 2025 County
 Capital Budget Appropriations for
 Capital Project RP056 PLAYLAND
 INFRASTRUCTURE, RIDES AND
 SITE WORK

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The Capital section of the 2025 County Budget is hereby amended as follows:

	Previous 2025 Appropriation	Change	Revised 2025 Appropriation
I. Appropriation	\$12,000,000	\$27,710,000	\$39,710,000

Section 2. The estimated method of financing in the Capital Section of the 2025 Westchester County Capital Budget is amended as follows:

II. METHOD OF
 FINANCING

Bonds and/or Notes	\$12,000,000	\$27,710,000	\$39,710,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$12,000,000	\$27,710,000	\$39,710,000

Section 3. The ACT shall take effect immediately.

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

SECTION 1. The 2025 County Operating Budget shall be amended as follows:

EXPENDITURES:

Miscellaneous Budget

Judgement (101-52-1000-4990)

Amend to add interest cost \$519,294

Amend to reduce capital cost (RP056) (\$27,710,000)

TOTAL GENERAL FUND EXPENSE (\$27,190,706)

REVENUES:

Miscellaneous Budget

Bond Proceeds - (101-52-1000-9632)

Amend to add interest \$519,294

Amend to reduce capital (RP056) (\$27,710,000)

TOTAL GENERAL FUND REVENUE (\$27,190,706)

SECTION 2. This ACT shall take effect immediately.

FISCAL IMPACT STATEMENT

SUBJECT: 2025 Budget Amendment 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 \$ (27,190,706)

Total Current Year Revenue \$ (27,190,706)

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

Additional Appropriations Other (explain)

Identify Accounts: SEE ATTACHED Operating Budget Amendment

Potential Related Operating Budget Expenses: Annual Amount _____

Describe: _____

Potential Related Operating Budget Revenues: Annual Amount _____

Describe: _____

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

Current Year: _____

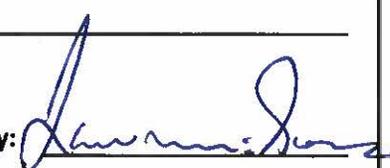
Next Four Years: _____

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: January 13, 2026

Reviewed By: 

Budget Director

Date: 1/24/26

ACT NO. -20_____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED MAY 5, 2025, IN RELATION TO THE PAYMENT OF COMPROMISED OR SETTLED CLAIMS AGAINST THE COUNTY IN THE MATTER OF *ARBITRATION BETWEEN THE COUNTY OF WESTCHESTER AND STANDARD AMUSEMENTS LLC*, AT THE MAXIMUM ESTIMATED COST OF \$36,519,294. (Adopted _____, 20_____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$36,000,000 bonds to finance the payment of compromised or settled claims against the County in the matter of *Arbitration between the County of Westchester and Standard Amusements LLC*, pursuant to Act No. 83-2025 duly adopted on May 5, 2025; and

WHEREAS, it is necessary to increase the amount of bonds authorized to be issued and the appropriation for such object or purpose;

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section (A). The bond act duly adopted by this Board on May 5, 2025, entitled:

“ACT NO. 83-2025

BOND ACT AUTHORIZING THE ISSUANCE OF \$36,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PAYMENT OF COMPROMISED OR SETTLED CLAIMS AGAINST THE

COUNTY IN THE MATTER OF *ARBITRATION BETWEEN THE COUNTY OF WESTCHESTER AND STANDARD AMUSEMENTS LLC*, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$36,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$36,000,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$36,519,294 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PAYMENT OF COMPROMISED OR SETTLED CLAIMS AGAINST THE COUNTY IN THE MATTER OF *ARBITRATION BETWEEN THE COUNTY OF WESTCHESTER AND STANDARD AMUSEMENTS LLC*, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$36,519,294; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$36,519,294 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Adopted , 20____)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto; \$36,519,294 bonds of the County, or so much thereof

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4060136.2 048034

as may be necessary, are hereby authorized to be issued to finance the payment of compromised or settled claims against the County in the matter of *Arbitration between the County of Westchester and Standard Amusements LLC*. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$36,519,294. The plan of financing includes the issuance of \$36,519,294 bonds herein authorized; and any bond anticipation notes issued in anticipation of the sale of such bonds and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of said specific object or purpose, are five (5) years and fifteen (15) years, within the limitations of Section 11.00 a. 33.(a) and 11.00 a. 19(c) of the Law, respectively, dependent on the specific object or purpose for which the proceeds of said bonds, or portion thereof, are to be expended.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$36,519,294. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$36,519,294 as the estimated maximum cost of the aforesaid specific object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or

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the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

Section (B). The amendment of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

Section (C). This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

I HEREBY CERTIFY that I have compared the foregoing Act No. -20_____ with the original on file in my office, and that the same is a correct transcript therefrom and of the whole of the said original Act, which was duly adopted by the County Board of Legislators of the County of Westchester on _____, 20_____ and approved by the County Executive on _____, 20_____.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this _____ day of _____, 20_____.

(SEAL)

The Clerk and Chief Administrative Office of the County Board of Legislators County of Westchester, New York

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on May 5, 2025 and amended on _____, 20____ and approved, as amended, by the County Executive on _____, 20____ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the amended Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$36,519,294 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PAYMENT OF COMPROMISED OR SETTLED CLAIMS AGAINST THE COUNTY IN THE MATTER OF *ARBITRATION BETWEEN THE COUNTY OF WESTCHESTER AND STANDARD AMUSEMENTS LLC*, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$36,519,294; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$36,519,294 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on May 5, 2025 and amended on _____, 20____)

object or purpose: to finance the payment of compromised or settled claims against the County in the matter of *Arbitration between the County of Westchester and Standard Amusements LLC*.

amount of obligations to be issued:

and period of probable usefulness: \$36,519,294; five (5) years and fifteen (15) years

Dated: _____, 20____
White Plains, New York

Clerk and Chief Administrative Officer of the County Board
of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:* RP056	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 12-30-2025
Fact Sheet Year:* 2025	Project Title:* PLAYLAND INFRASTRUCTURE, RIDES AND SITE WORK	Legislative District ID: 7,
Category* PLAYLAND	Department:* PARKS, RECREATION & CONSERVATION	CP Unique ID: 3140

Overall Project Description

This project will address the critical need to reconstruct, rehabilitate and make operational various rides, facilities and other associated infrastructure and site work at Playland Park.

- | | | |
|--|--|--|
| <input type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input checked="" type="checkbox"/> Infrastructure |
| <input type="checkbox"/> Life Safety | <input type="checkbox"/> Project Labor Agreement | <input type="checkbox"/> Revenue |
| <input type="checkbox"/> Security | <input type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	42,710	12,000	0	3,000	0	0	0	27,710
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	42,710	12,000	0	3,000	0	0	0	27,710

Expended/Obligated Amount (in thousands) as of : 11,567

Current Bond Description: This bond request involves the re-classification of eligible capital expenditures from the 2025 operating budget pursuant to the requirements of the recent bond act #83-2025.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	27,710,000
Cash:	0
Total:	\$ 27,710,000

SEQR Classification:

Amount Requested:
27,710,000

Expected Design Work Provider:

- | | | |
|---------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> County Staff | <input type="checkbox"/> Consultant | <input checked="" type="checkbox"/> Not Applicable |
|---------------------------------------|-------------------------------------|--|

Comments:

A 2025 capital budget amendment in the amount of \$27,710,000 is requested and shown in Under Review, representing the re-classification of eligible capital expenditures from the 2025 Operating Budget.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2025	12,000,000	FUNDS DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT TO RECONSTRUCT, REHABILITATE AND MAKE OPERATIONAL VARIOUS RIDES, FACILITIES AND OTHER ASSOCIATED INFRASTRUCTURE AND SITE WORK AT PLAYLAND PARK

Total Appropriation History:
12,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
25	159	12,000,000		0 PLAYLAND INFRASTRUCTURE, RIDES AND SITE WORK

Total Financing History:

12,000,000

Recommended By:

Department of Planning

Date

Department of Public Works

Date

Budget Department

Date

Requesting Department

Date

Kenneth W. Jenkins
County Executive

Office of the County Attorney

John M. Nonna
County Attorney

January 20, 2026

Westchester County Board of Legislators
800 Michaelian Office Building
148 Martine Avenue
White Plains, NY 10601

Re: Legislation authorizing the County Attorney and the Commissioner of Finance to compromise the liability of the County of Westchester and pay a reduced lump sum to a former County employee in lieu of future payments

Dear Honorable Members of the Board:

Attached for your consideration is an Act which, if approved, would authorize the County Attorney and the Commissioner of Finance to compromise the liability of the County of Westchester (the "County") to pay Workers' Compensation benefits to a former police officer in the Westchester County Department of Public Safety (the "Department"). The officer is identified herein as "M.S." Consistent with prior practice in similar cases, we have deleted the name of the employee to protect the individual's privacy. The name, of course, will be disclosed to the Board of Legislators upon request.

Pursuant to Section 32 of the New York State Workers' Compensation Law, the County is permitted to reduce the liability for ongoing benefits by paying a lump sum to the employee. When a County employee suffers a work-related injury, he or she qualifies for Workers' Compensation benefits. Once the Workers' Compensation Board issues a permanency finding, the County is obligated to make continuing payments. Pursuant to Section 32 of the New York State Workers' Compensation Law, the County is permitted to reduce its liability for ongoing benefits by paying the employee a reduced lump sum. As a result of this lump sum, future payments are eliminated and the County realizes substantial savings.

In the past, the Department of Finance, in its role as administrator of the County's Workers' Compensation Program, has negotiated, with the cooperation of the County Attorney's Office, lump-sum settlements with the attorneys for injured employees. Such settlements have been and remain subject to final approval in the interest of justice by the New York State Workers' Compensation Board.

The proposed settlement is based upon the following criteria:

1. The accepted workers' compensation claims;
2. The loss-of-use award; and
3. The settlement amount proposed by the claimant's attorney.

Michaelian Office Building
148 Martine Avenue, 6th Floor
White Plains, New York 10601

Telephone: 914-995-3630

Fax: 914-995-3132*

*Please be advised that service by facsimile
is not accepted.



Relevant History

Accepted Workers' Compensation Claims

This matter involves four accepted workers' compensation claims:

- Claim No. 1 (PF178013; WCB No. G1871241): On March 18, 2017, M.S. arrested a physically combative, non-compliant offender. During that arrest, M.S. sustained contusions and abrasions to his forehead, left ring finger, and right hand. As of this writing, the County has paid job-injury indemnity (lost wage) and medical expenses on this claim totaling two hundred eighty-three and 30/100 dollars (\$283.30).
- Claim No. 2 (PF178079; WCB No. G2085176): On December 26, 2017, M.S. slipped on ice in the parking lot at Chauncey Square, located at 50 Stanley Avenue in Dobbs Ferry, NY 10522. In the resulting fall, M.S. injured his right shoulder and back. As of this writing, the County has paid job-injury indemnity (lost wage) and medical expenses on this claim totaling nine thousand seventy-one and 65/100 dollars (\$9,071.65).
- Claim No. 3 (PF2208007; WCB No. G2729556): On February 16, 2020, M.S. attempted to gain compliance from an emotionally disturbed person at the main building of the Westchester County Medical Center. In so attempting, M.S. fell to ground and injured his left knee. As of this writing, the County has paid job-injury indemnity (lost wage) and medical expenses on this claim totaling two hundred fifty-seven thousand seven hundred eighty-five and 01/100 dollars (\$257,785.01).
- Claim No. 4 (PF2228056; WCB No. G3355392): On August 11, 2022, M.S. accidentally discharged his duty weapon into the floor of the supervisor's locker room at Westchester County Police Headquarters. Thereafter, M.S. reported a graze wound near his right elbow, tinnitus in both ears, and—as a result of a hard step taken immediately after the unexpected discharge—an exacerbation of his preexisting hip injury. As of this writing, the County has paid job-injury indemnity (lost wage) and medical expenses on this claim totaling ninety-seven thousand seven hundred five and 70/100 dollars (\$97,705.70).

For the reader's convenience, charts tallying relevant amounts appear below:

	D/O/I	Expenses
Claim No. 1	18-Mar-17	\$ 283.30
Claim No. 2	26-Dec-17	\$ 9,071.65
Claim No. 3	16-Feb-20	\$257,785.01
Claim No. 4	11-Aug-22	\$ 97,705.70
TOTAL		\$364,845.66

PPD Award & Retirement

On April 26, 2024, the New York State and Local Retirement System approved M.S.'s application for a Performance of Duty Disability Retirement as a result of this incident. On May 9, 2024, the New York State Workers' Compensation Board awarded M.S. a permanent partial disability

("PPD") as a result of this incident in the amount of six hundred thirty-five and 95/100 dollars (\$635.95) per week for a period of two hundred fifty (250) weeks (the "PPD Award"). M.S. retired from County service that same day.

Future Expenses

Future Indemnity Expenses

The PPD Award is set to expire in 172 weeks (i.e., February 22, 2029). Given the indemnity rate (\$635.95/week), the total amount yet to be paid is one hundred nine thousand three hundred eighty three and 40/100 dollars (\$109,383.40). Reducing the undiscounted cash flow to net present value using a discount rate of 5%, the Westchester County Attorney's Office was able to calculate the PPD Award's net present value to be one hundred one thousand eighty-two and 36/100 dollars (\$101,082.36).

	Remaining Weeks	Award Rate	Total Remaining	Discount Rate	Net Present Value
PPD Award	172 Weeks	\$635.95/week	\$109,383.40	5%	\$ 101,082.36

Future Medical Expenses

Independent of the PPD Award, the County is obligated to cover M.S.'s future medical expenses related to Claim Nos. 1-4. A vendor (MSA Advocates, Inc.) hired by the County's workers' compensation fund third-party administrator (Triad Group, LLC) has estimated the County's future exposure on all four claims as totaling forty-nine thousand two hundred sixty-seven and 90/100 dollars (\$49,267.90).

	Estimated Exposure
Future Medical Expenses	\$49,267.90

Discussion of Settlement Offer

M.S.'s has agreed in principle to settle all four claims for ninety-six thousand four hundred sixty-one and 30/100 dollars (\$96,461.30). If accepted, this settlement will resolve all four claims and relieve the County from any obligation to reimburse future treatment on any of the related injuries. The County's savings pursuant to the proposed settlement are estimated to be fifty-three thousand eight hundred eighty-eight and 96/100 dollars (\$53,888.96).

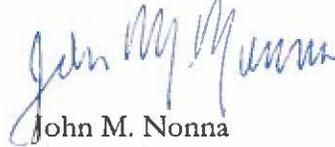
	Indemnity	Medical	TOTAL
Exposure	\$101,082.36	\$49,267.90	\$150,350.26
Proposed Settlement	\$47,193.40	\$49,267.90	\$96,461.30 ³
Proposed Savings	\$53,888.96	\$ -	\$53,888.96

³ Two side notes: First, M.S.'s original settlement demand included a round number for the indemnity piece (\$65,000.00); that figure was later reduced by the weekly indemnity payments M.S. received in the interim. Second, the U.S. Department of Health and Human Services prohibits workers' compensation carriers from realizing medical-related savings on Section 32 settlements—meaning the medical portion of such settlements often equals the carrier's estimated exposure.

Based upon the foregoing, the County Attorney and the Commissioner of Finance request authority to compromise the liability of the County by contributing ninety-six thousand four hundred sixty-one and 30/100 dollars (\$96,461.30) toward a lump-sum settlement in full satisfaction of the County's indemnity and medical obligation in this matter.

We therefore recommend the accompanying Act.

Very truly yours,



John M. Nonna
County Attorney



Karin E. Hablow
Commissioner of Finance

JMN/KEH/stc

BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act which, if enacted by your Board, would authorize the County Attorney and the Commissioner of Finance to compromise the liability of the County of Westchester (the “County”) to pay Workers’ Compensation benefits to a former County employee, identified herein as “M.S.” Consistent with prior practice in similar cases, we have deleted the name of the employee to protect the individual’s privacy. The name, of course, will be disclosed to the Board of Legislators upon request.

Pursuant to Section 32 of the New York State Workers’ Compensation Law, the County is permitted to reduce the liability for ongoing benefits by paying a lump sum to the employee. When a County employee suffers a work-related injury, he or she qualifies for Workers’ Compensation benefits. Once the Workers’ Compensation Board issues a permanency finding, the County is obligated to make continuing payments. As a result of this lump sum, future payments are eliminated and the County realizes substantial savings.

The Department of Finance, in its role as administrator of the County’s Workers’ Compensation Program, has negotiated, with the cooperation of the County Attorney’s Office, lump-sum settlements with the attorneys for injured employees. Such settlements have been and remain subject to final approval in the interest of justice by the N.Y. State Workers’ Compensation Board.

Employee:	M.S.
Department:	Public Safety
Dates of Injury:	March 18, 2017; December 26, 2017; February 16, 2020; and August 11, 2022
Injuries:	Forehead, left ring finger, right hand, right shoulder, back, left knee, right elbow, ears, hip.
Lump-Sum Settlement (Medical & Indemnity):	\$ 96,461.30

Your Committee has carefully considered the matter and recommends authorizing the County Attorney and the Commissioner of Finance to compromise the liability of the County to pay Workers’

Compensation benefits to the above-named former County employee, thereby reducing the liability for ongoing benefits by paying a lump sum to and/or for the benefit of M.S. An affirmative vote of a majority of the Board is required to pass this legislation.

Dated: White Plains, New York
January __, 2026

ACT NO. 2026

AN ACT authorizing the County Attorney and the Commissioner of Finance to compromise the liability of the County of Westchester and pay a reduced lump sum to a former County employee in lieu of future payments.

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

1. The County Attorney and the Commissioner of Finance are hereby authorized to compromise the County's right to pay Workers' Compensation benefits to M.S., a former employee, by contributing \$ 96,461.30 towards a lump-sum settlement, thereby reducing the County's liability for ongoing benefits to and/or for the benefit of the employee.

2. The County Attorney or his designee and the Commissioner of Finance or her designee are hereby authorized to execute and deliver all documents and take such actions as the County Attorney and/or the Commissioner of Finance deem necessary or desirable to accomplish the purposes hereof.

3. This Act shall take effect immediately.

FISCAL IMPACT STATEMENT

SUBJECT: Settlement of Workers Comp Benefits (M.S.)

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

(To be completed by operating department and reviewed by Budget Department)

A) GENERAL FUND AIRPORT SPECIAL REVENUE FUND (Districts)

B) EXPENSES AND REVENUES

Total Current Year Cost \$ 96,461.30

Total Current Year Revenue \$ _____

Source of Funds (check one): Current Appropriations

Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 613-57-0024-4280

Potential Related Operating Budget Expenses: Annual Amount \$ _____

Describe: _____

Potential Related Revenues: Annual Amount \$ _____

Describe: _____

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

Current Year: _____

Next Four years: _____

Prepared by: Sean T. Carey

Title: Associate County Attorney

Department: Law

Reviewed By: 

Budget Department

1/21/26

If you need more space, please attach additional sheets.



Kenneth W. Jenkins
County Executive

Office of the County Attorney

John M. Nonna
County Attorney

January 7, 2026

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

Re: Request for Authorization to Settle the County's Insurance Claims with an Insurance Company in the Amount of \$306,000

Dear Honorable Members of the Board:

Attached for your consideration is an Act which if enacted by your Board, would authorize the settlement of insurance claims and the resulting insurance coverage dispute with Berkshire Hathaway Direct Insurance Company, f/k/a American Centennial Insurance Company, ("ACIC), for \$306,000.

More than forty years ago, ACIC issued to Westchester County four commercial umbrella policies - - Policy Nos. XC-00-31-02, CC-00-26-83, XC-00-88-14, and XC-00-88-65. These four commercial umbrella policies, respectively issued to the County in 1982, 1983 and 1984, eventually became the subject of a dispute and this settlement.

In November 2021, a dispute first arose between the County and ACIC with respect to whether and to what extent the foregoing policies provided coverage for certain costs and liabilities that the County had incurred, or may incur in the future, in connection with claims against the County alleging sexual abuse pursuant to New York State's Child Victims Act. Previously, the County had presented three such claims, (D. Bellamy v. County, et al, V. Lewis v. County, et al, and J. Paladino, v. County et al), to ACIC.

By letter dated November 4, 2021, ACIC denied coverage for those three claims and further denied that it had any obligation to provide coverage for any claims made by the County under the above policies. The County immediately contested the claim denials issued by Resolute. As the underlying litigation that gave rise to those three claims progressed through the courts, the County continued to challenge Resolute's claim denials in subsequent correspondence and telephone calls over the following four year period.

Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Telephone: (914) 995-2600

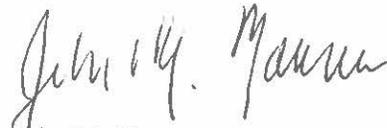
Website: westchestercountyny.gov

Of the three claims presented to ACIC by the County, (D. Bellamy, V. Lewis, and J. Paladino), the first two of these claims never reached ACIC's umbrella level of insurance coverage, but the \$5 million settlement of the Paladino case did reach that level. It was determined that the total liability of ACIC under the four policies applicable to the Paladino case was \$489,998. The ongoing dispute never became a lawsuit and continued to be negotiated.

On November 21, 2025, the County and ACIC agreed to settle the dispute for \$306,000. The latter figure represents a 62% recovery of the total sought. Most importantly, the settlement takes into consideration the uncertainty of litigation and the potential costs of a trial. The County will execute a Confidential Settlement Agreement and Mutual Release to finalize the settlement.

The accompanying Act will authorize the settlement of the insurance claims and insurance coverage dispute with ACIC for \$306,000.

Very truly yours,

A handwritten signature in black ink, appearing to read "John M. Nonna". The signature is written in a cursive style with some loops and flourishes.

John M. Nonna
County Attorney

JMN/mg

COMMITTEE ON:

ACT NO. -2026

AN ACT authorizing the County Attorney to settle the insurance claims and resulting insurance coverage dispute with Berkshire Hathaway Direct Insurance Company, f/k/a American Centennial Insurance Company, ("ACIC), for \$306,000.

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The County Attorney is authorized to settle the insurance claims and resulting insurance coverage dispute with Berkshire Hathaway Direct Insurance Company, f/k/a American Centennial Insurance Company, ("ACIC), for \$306,000.

Section 2. The County Attorney or his designee is hereby authorized and empowered to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purpose of this Act.

Section 3. This Act shall take effect immediately.

FISCAL IMPACT STATEMENT

SUBJECT: Settle Insurance Claims with Insurance Company 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 \$ 306,000

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

Additional Appropriations Other (Revenue)

Identify Accounts: 615-59-0510-9289

Potential Related Operating Budget Expenses: Annual Amount _____

Describe: _____

Potential Related Operating Budget Revenues: Annual Amount \$ 306,000

Describe: Settlement of insurance claims and the resulting insurance coverage dispute
with Berkshire Hathaway Direct Insurance Company, f/k/a American Centennial Insurance
Company, (ACIC).

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

Current Year: _____

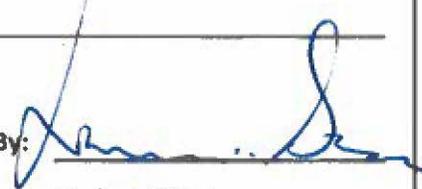
Next Four Years: _____

Prepared by: Mark Medwid

Title: Associate Budget Director

Department: Budget

Date: January 8, 2026

Reviewed By: 

WMM Budget Director

Date: 1/8/26

WESTCHESTER COUNTY

Kenneth W. Jenkins
County Executive

Department of Law

John M. Nonna
County Attorney

January 26, 2026

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

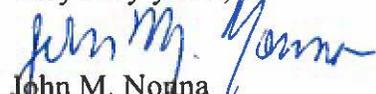
Dear Members of the Board of Legislators:

Attached for your consideration is an Act which, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to amend a retainer agreement entered into on or about April 27, 2023 (the "Agreement") with the law firm of Sheppard, Mullin, Richter & Hampton LLP (the "Firm") for the provision of outside counsel legal services in connection with a default (the "Default") by Custom Marine, Inc. ("Custom") under Department of Public Works & Transportation (the "Department") Contract No. 12-517-REV, in order to increase the authorized not-to-exceed amount of the Agreement by Nine Thousand (\$9,000.00) Dollars. The Agreement commenced retroactively on March 13, 2023 and continues until the matter is resolved, and is for an amount not-to-exceed One Hundred Thousand (\$100,000.00) Dollars.

As you may recall, your Honorable Board authorized the County to retain the Firm pursuant to Act No. 2023-73. I am advised that the matter has concluded, however, it is necessary to increase the contract by Nine Thousand (\$9,000.00) Dollars to cover the remaining amount due to the Firm for services provided. The new amount not-to-exceed will be One Hundred and Nine Thousand (\$109,000.00) Dollars, payable in accordance with the fee schedule attached to the Agreement as Schedule "A".

Based upon the foregoing, your Honorable Board's approval of the attached Act is most respectfully requested.

Very truly yours,


John M. Nonna
County Attorney

JMN/mb
Attachment

Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601 Telephone: (914) 995-2831 Fax (914) 995-5858

**HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER**

Your Committee is in receipt of a proposed Act transmitted by the County Attorney which, if adopted, would authorize the County of Westchester (the “County”) to amend a retainer agreement entered into on or about April 27, 2023 (the “Agreement”) with the law firm of Sheppard, Mullin, Richter & Hampton LLP (the “Firm”) for the provision of outside counsel legal services in connection with a default (the “Default”) by Custom Marine, Inc. (“Custom”) under Department of Public Works & Transportation (the “Department”) Contract No. 12-517-REV, in order to increase the authorized not-to-exceed amount of the Agreement by Nine Thousand (\$9,000.00) Dollars. The Agreement commenced retroactively on March 13, 2023 and continues until the matter is resolved, and is for an amount not-to-exceed One Hundred Thousand (\$100,000.00) Dollars.

As you may recall, your Honorable Board authorized the County to retain the Firm pursuant to Act No. 2023-73. The County Attorney has advised that the matter has concluded, however, it is necessary to increase the contract by Nine Thousand (\$9,000.00) Dollars to cover the remaining amount due to the Firm for services provided. The new amount not-to-exceed will be One Hundred and Nine Thousand (\$109,000.00) Dollars, payable in accordance with the fee schedule attached to the Agreement as Schedule “A”.

The Planning Department has advised that this proposed amendment does not meet the definition of an action under New York State Environmental 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.

An affirmative vote of a majority of the voting strength of the Board is required for approval of the attached Act.

Your Committee recommends approval of the attached Act.

Dated: _____, 2026
White Plains, New York

COMMITTEE ON

k/bar/1.7.26

FISCAL IMPACT STATEMENT

SUBJECT: Sheppard, Mullin, Richter 12-517-REV 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 NTE 9,000

Total Current Year Revenue \$ -

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

Additional Appropriations

Other (explain)

Identify Accounts: 101_18_1000_4923

Potential Related Operating Budget Expenses: Annual Amount \$0

Describe: An act authorizing the County of Westchester to amend a retainer agreement with Sheppard, Mullin, Richter & Hampton LLP in connection with a default by Custom Marine, Inc. under the Dept. of Public Works Contract No. 12-517-REV to increase the NTE amount by \$9,000.

Potential Related Operating Budget Revenues: Annual Amount \$0

Describe: _____

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

Current Year: \$0

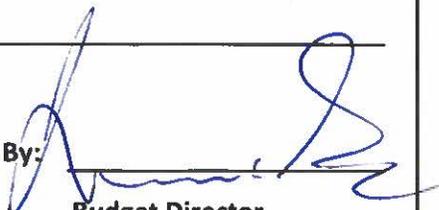
Next Four Years: \$0

Prepared by: Patricia Haggerty

Title: Sr. Budget Analyst

Department: Budget

Date: January 7, 2026

Reviewed By: 
PH Budget Director

Date: 1/7/25

ACT NO. – 2026

AN ACT authorizing the County of Westchester to amend a retainer agreement with the law firm of Sheppard, Mullin, Richter & Hampton LLP, for the provision of outside counsel legal services in connection with a default (the “Default”) by Custom Marine, Inc. (“Custom”) under Department of Public Works & Transportation (the “Department”) Contract No. 12-517-REV, in order to increase the authorized not-to-exceed amount of the Agreement by Nine Thousand (\$9,000.00) Dollars.

BE IT ENACTED by the County Board of the County of Westchester, State of New York as follows:

Section 1. The County of Westchester (the “County”) is hereby authorized to amend a retainer agreement entered into on or about April 27, 2023 (the “Agreement”) with the law firm of Sheppard, Mullin, Richter & Hampton LLP (the “Firm”) for the provision of outside counsel legal services in connection with a default (the “Default”) by Custom Marine, Inc. (“Custom”) under Department of Public Works & Transportation (the “Department”) Contract No. 12-517-REV, in order to increase the authorized not-to-exceed amount of the Agreement by Nine Thousand (\$9,000.00) Dollars. The new amount not-to-exceed will be One Hundred and Nine Thousand (\$109,000.00) Dollars, payable in accordance with the fee schedule attached to the Agreement as Schedule “A”.

§2. That except as otherwise expressly amended hereby, all other terms and conditions of the retainer agreement, as previously amended and assigned, shall remain in full force and effect.

§3. This Act shall take effect immediately.



Kenneth W. Jenkins
County Executive

Office of the County Attorney

John M. Nonna
County Attorney

January 16, 2026

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

Re: Request for authorization to settle the lawsuit of SYREETA L. JEFFERSON v. WESTCHESTER COUNTY; ARCHDIOCESE OF NEW YORK; ST. CABRINI HOME; MISSIONARY SISTERS OF THE SACRED HEART OF JESUS; REDEMPTORISTS OF THE BALTIMORE PROVINCE a/k/a THE REDEMPTORISTS; and DOES 1-10, in Supreme Court Westchester County, Index No. 58713/2021, in the amount of \$750,000.00, inclusive of attorney’s fees.

Dear Honorable Members of the Board:

Attached for your consideration is an Act, which if enacted by your Board, would authorize the settlement of the lawsuit of SYREETA L. JEFFERSON v. WESTCHESTER COUNTY; ARCHDIOCESE OF NEW YORK; ST. CABRINI HOME; MISSIONARY SISTERS OF THE SACRED HEART OF JESUS; REDEMPTORISTS OF THE BALTIMORE PROVINCE a/k/a THE REDEMPTORISTS; and DOES 1-10, in Supreme Court Westchester County, Index No. 58713/2021, in the amount of \$750,000.00, inclusive of attorney’s fees.

This matter is pending in the Westchester County Supreme Court before the Honorable Doris M. Gonzalez. The lawsuit tentatively settled, pending this Board’s approval, for a total amount of \$750,000.00 inclusive of attorney’s fees.

Jenny Rossman, Esq. of Herman Law, 475 5th Avenue, 11th Floor, New York, New York 10017, is representing the plaintiff, Syreeta L. Jefferson.

This matter arises in the context of The Child Victim’s Act (the “CVA”). The legislation was enacted in 2019 and allowed for victims of childhood sexual abuse to file lawsuits despite expired statutes of limitations. In this case, the plaintiff was placed in the foster home of Bessie Peterson from 1984, when she was about eight years old, and remained there until approximately 1988. She alleges that beginning that first year and continuing for about three years, she was sexually abused by Ms. Peterson’s boyfriend. Plaintiff alleges that Ms. Peterson would put a lock

on the refrigerator so Plaintiff could not eat and that the boyfriend would use food to bribe Plaintiff into doing sexual acts. Plaintiff alleges that he forced her to perform oral sex on him and have intercourse. Plaintiff alleges that this ongoing abuse resulted in permanent psychological and emotional damages.

Plaintiff claims that the County had actual notice of the sexual abuse she was suffering because she told her assigned Westchester County caseworker, Ms. Rosario, about the abuse. Plaintiff also alleges that she would run away from the Peterson home and go to the Department of Social Services Yonkers office and tell workers in the office about the abuse. She alleges that someone would always drive her back to the Peterson home. The Department of Social Services denies that they had knowledge of the abuse and denies that they were told about the abuse.

The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, the exposure to a substantial jury verdict, subsequent proceedings and potential appeal. The accompanying Act will authorize settlement of the lawsuit entitled of SYREETA L. JEFFERSON v. WESTCHESTER COUNTY; ARCHDIOCESE OF NEW YORK; ST. CABRINI HOME; MISSIONARY SISTERS OF THE SACRED HEART OF JESUS; REDEMPTORISTS OF THE BALTIMORE PROVINCE a/k/a THE REDEMPTORISTS; and DOES 1-10, in the amount of \$750,000.00 inclusive of attorney's fees.

Very truly yours,



John M. Nonna
County Attorney

JMN/cmf

BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act, which if enacted by your Board, would authorize the settlement of the lawsuit of SYREETA L. JEFFERSON v. WESTCHESTER COUNTY; ARCHDIOCESE OF NEW YORK; ST. CABRINI HOME; MISSIONARY SISTERS OF THE SACRED HEART OF JESUS; REDEMPTORISTS OF THE BALTIMORE PROVINCE a/k/a THE REDEMPTORISTS; and DOES 1-10, in the amount of \$750,000.00, inclusive of attorney's fees.

This matter is pending in the Westchester County Supreme Court before the Honorable Doris M. Gonzalez. The lawsuit tentatively settled, pending this Board's approval, for a total amount of \$750,000.00 inclusive of attorney's fees.

Jenny Rossman, Esq. of Herman Law, 475 5th Avenue, 11th Floor, New York, New York 10017, is representing the plaintiff, Syreeta L. Jefferson.

This matter arises in the context of The Child Victim's Act (the "CVA"). The legislation was enacted in 2019 and allowed for victims of childhood sexual abuse to file lawsuits despite expired statutes of limitations. In this case, the plaintiff was placed in the foster home of Bessie Peterson from 1984, when she was about eight years old, and remained there until approximately 1988. She alleges that beginning that first year and continuing for about three years, she was sexually abused by Ms. Peterson's boyfriend. Plaintiff alleges that Ms. Peterson would put a lock on the refrigerator so Plaintiff could not eat and that the boyfriend would use food to bribe Plaintiff

into doing sexual acts. Plaintiff alleges that he forced her to perform oral sex on him and have intercourse. Plaintiff alleges that this ongoing abuse resulted in permanent psychological and emotional damages.

Plaintiff claims that the County had actual notice of the sexual abuse she was suffering because she told her assigned Westchester County caseworker, Ms. Rosario, about the abuse. Plaintiff also alleges that she would run away from the Peterson home and go to the Department of Social Services Yonkers office and tell workers in the office about the abuse. She alleges that someone would always drive her back to the Peterson home. The Department of Social Services denies that they had knowledge of the abuse and denies that they were told about the abuse.

The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, the exposure to a substantial jury verdict, subsequent proceedings and potential appeal. The accompanying Act will authorize settlement of the lawsuit entitled of SYREETA L. JEFFERSON v. WESTCHESTER COUNTY; ARCHDIOCESE OF NEW YORK; ST. CABRINI HOME; MISSIONARY SISTERS OF THE SACRED HEART OF JESUS; REDEMPTORISTS OF THE BALTIMORE PROVINCE a/k/a THE REDEMPTORISTS; and DOES 1-10, in the amount of \$750,000.00 inclusive of attorney's fees.

Your Committee has carefully considered the subject matter, the settlement proposal, the attached Act and recommends authorizing the County Attorney or his designee to settle the lawsuit entitled SYREETA L. JEFFERSON v. WESTCHESTER COUNTY; ARCHDIOCESE OF NEW YORK; ST. CABRINI HOME; MISSIONARY SISTERS OF THE SACRED HEART OF JESUS; REDEMPTORISTS OF THE BALTIMORE PROVINCE a/k/a THE REDEMPTORISTS; and

FISCAL IMPACT STATEMENT

SUBJECT: Lawsuit Settlement: S.L.J G860202 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 \$ 750,000

Total Current Year Revenue \$ -

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

Additional Appropriations Other (explain)

Identify Accounts: 6N Fund: 615 59 0510 1050 4280 04

Potential Related Operating Budget Expenses: Annual Amount N/A

Describe: Public Official Liability Settlement of Jefferson(S.L.J) G860202 (CVA Claim)

Potential Related Operating Budget Revenues: Annual Amount N/A

Describe: _____

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

Current Year: N/A

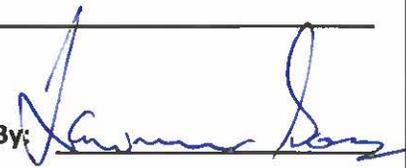
Next Four Years: N/A

Prepared by: Christine M. Feimer

Title: Senior Assistant County Attorney

Department: Law

Date: January 20, 2026

Reviewed By: 
PH

Budget Director

Date: 1/21/26

ACT NO. -2026

AN ACT authorizing the County Attorney to settle the lawsuit of SYREETA L. JEFFERSON v. WESTCHESTER COUNTY; ARCHDIOCESE OF NEW YORK; ST. CABRINI HOME; MISSIONARY SISTERS OF THE SACRED HEART OF JESUS; REDEMPTORISTS OF THE BALTIMORE PROVINCE a/k/a THE REDEMPTORISTS; and DOES 1-10, in Supreme Court Westchester County, Index No. 58713/2021, in the amount of \$750,000.00, inclusive of attorney's fees.

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The County Attorney is authorized to settle the lawsuit of SYREETA L. JEFFERSON v. WESTCHESTER COUNTY; ARCHDIOCESE OF NEW YORK; ST. CABRINI HOME; MISSIONARY SISTERS OF THE SACRED HEART OF JESUS; REDEMPTORISTS OF THE BALTIMORE PROVINCE a/k/a THE REDEMPTORISTS; and DOES 1-10, in Supreme Court Westchester County, Index No. 58713/2021, in the amount of \$750,000.00, inclusive of attorney's fees.

Section 2. The County Attorney or his designee is hereby authorized and empowered to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purpose of this Act.

Section 3. This Act shall take effect immediately.



Kenneth W. Jenkins
County Executive

Office of the County Attorney

John M. Nonna
County Attorney

January 29, 2026

Westchester County Board of Legislators
County of Westchester
800 Michaelian Office Building
148 Martine Avenue, Room 600
White Plains, New York, 10601

Re: Request for Authorization to Settle the Lawsuit, Melanie Gabari v. The County of Westchester, Jeffrey Munson, George Munson, and Carol Munson, Index No. 64752/2019, Supreme Court, Westchester County, in the amount of \$750,000.00, inclusive of attorney's fees.

Dear Honorable Members of the Board:

Attached for your consideration is an Act, which if enacted by your Board, would authorize settlement of the lawsuit of Melanie Gabari v. County of Westchester, Jeffrey Munson, George Munson and Carol Munson, in Supreme Court Westchester County, Index No. 64752/2019, in the amount of \$750,000.00, inclusive of attorney's fees.

This case is brought pursuant to the Child Victim's Act ("CVA"), a revival law. The legislation was enacted in 2019 and allowed for victims of childhood sexual abuse to file lawsuits despite expired statutes of limitations. The facts indicate that the County's Department of Social Services ("DSS") placed the plaintiff in a foster home due to her birth mother's mental issues. Plaintiff alleges that during her placement with foster parents George and Carol Munson, she was sexually abused by foster mother Carol Munson and subsequently by their son, Jeffrey Munson. Plaintiff contends that she resided in the home during the years 1981-1990, and that while she was between the ages of 11 and 14, she was "repeatedly physically and sexually abused by Jeffrey and Carol Munson, her foster brother and foster mother. She also contends that foster father George Munson was aware of these occurrences, but did nothing to stop them. During the time period of the abuse, she alleges that she made repeated complaints of abuse to her DSS caseworker, who she claims took no action to investigate, mitigate, and/or stop the abuse. She alleges that the both the physical and sexual abuse began occurring shortly after she arrived at the Munson home in 1981, when she would have been just five years old. She subsequently ran away from the Munson home. As part of her damages, plaintiff contends that she suffered in her marital relationship leading to divorce, has difficulty in any personal relationships, endured pain and suffering for many years through the sexual abuse, and otherwise has had to seek psychiatric help to counteract issues relating to anxiety and depression.

As a result of her allegations, plaintiff claims that the County had actual notice of her abuse and did nothing. Had this matter proceeded to a trial, plaintiff had intended to call a liability expert, damages expert, and the County's now retired DSS caseworker who was allegedly notified about the abuse. The County's defense would rest upon the crucial question of notice. Though plaintiff's caseworker would testify that plaintiff never told her about being abused, the jury could find that plaintiff's recollection was credible, that she in fact told the DSS caseworker about the abuse, but that the caseworker was not entirely telling the truth in making her denial as to notice of the abuse.

The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, the exposure to a substantial jury verdict, subsequent proceedings and a potential appeal. Co-defendants have agreed to contribute \$150,000.00 as part of the settlement, with the total settlement actually being \$900,000.00. The County is also expected to receive approximately \$70,000.00 from Liberty Insurance Company through the applicable insurance policy covering the time period of plaintiff's alleged abuse.

Plaintiff is represented by the law firm of Weitz & Luxembourg, 700 Broadway, New York, New York, 10003 Co-defendants' are represented by the law firm of Meagher & Meagher, 111 Church Street, White Plains, New York 10601.

Very Truly Yours,



John M. Nonna
County Attorney

TAL/tal

BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act, which if enacted by Your Board, would authorize the settlement of the lawsuit, Melanie Gabari v. County of Westchester, Jeffrey Munson, George Munson and Carol Munson, in the amount of \$750,000.00, inclusive of attorney's fees.

This matter is pending in the Westchester County Supreme Court, before the Honorable Doris M. Gonzalez. The lawsuit tentatively settled, pending this Board's approval, for a total amount of \$750,000.00, inclusive of attorney's fees.

Ilana Wolk and Nicholas Wise Esqs., Weitz & Luxenberg, PC, 700 Broadway, New York N.Y. 10003, is representing the plaintiff, Melanie Gabari.

This matter arises in the context of the Child Victim's Act ("CVA"), a revival law. The legislation was enacted in 2019 and allowed for victims of childhood sexual abuse to file lawsuits despite expired statutes of limitations. In this case, plaintiff alleges that she was abused at her foster home of George and Carol Munson, by foster parent Carol Munson and foster brother Jeffrey Munson, with knowledge of the abuse by foster parent George Munson that the sexual abuse was occurring. During the time period of the abuse, plaintiff alleges that she made repeated complaints of abuse to her Department of Social Service ("DSS") caseworker, who she claims allegedly took no action to investigate, mitigate, and/or stop the abuse. She alleges that the both the physical and sexual abuse began occurring shortly after she arrived at the Munson home in 1981, when she would have been just five years old. As part of her damages, plaintiff contends that she suffered permanent psychological and emotional damages, that the abuse affected her marital relationship leading to divorce, that she has difficulty in any personal relationships, she endured pain and suffering for many years through the period of the sexual abuse, and otherwise has had to seek psychiatric help to counteract issues relating to anxiety and depression.

The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, the exposure to a substantial jury verdict, subsequent proceedings and a potential appeal. The accompanying Act will authorize settlement of the lawsuit titled, Melanie Gabari v. County of Westchester, Jeffrey Munson, George Munson and Carol Munson, in Supreme Court Westchester County, Index No. 64752/2019, in the amount of \$750,000.00, inclusive of attorney's fees.

Your Committee has carefully considered the subject matter, the settlement proposal, the attached Act and recommends authorizing the County Attorney or his designee to settle the lawsuit, titled, Melanie Gabari v. County of Westchester, Jeffrey Munson, George Munson and Carol Munson, in the amount of \$750,000.00, inclusive of attorney's fees. An affirmative vote of a majority of the Board is required to pass this legislation.

Dated: White Plains, New York

, 2026

COMMITTEE ON

ACT NO. -2026

AN ACT authorizing the County Attorney to settle the lawsuit of Melanie Gabari v. The County of Westchester, Jeffrey Munson, George Munson, and Carol Munson, Westchester County Supreme Court Index No. 64752/2019, in the amount of \$750,000.00, inclusive of attorney's fees

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The County Attorney is authorized to settle the lawsuit of Melanie Gabari v. The County of Westchester, Jeffrey Munson, George Munson, and Carol Munson, Westchester County Supreme Court Index No. 64752/2019, in the amount of \$750,000.00, inclusive of attorney's fees.

Section 2. The County Attorney or his designee is hereby authorized and empowered to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purpose of this Act.

Section 3. This Act shall take effect immediately.

1 SUPREME COURT OF THE STATE OF NEW YORK.
2 COUNTY OF WESTCHESTER: PART DG

3 -----x
4 MELANIE GABARI

5 -against-

6 Index No.
7 64752/2019

8 WESTCHESTER COUNTY DEPARTMENT
9 OF SOCIAL SERVICES, ET AL,

10 Defendant.

11 -----x
12 111 Dr. Martin Luther King Jr. Blvd
13 White Plains, New York 10601
14 December 2, 2025

15 B E F O R E: HONORABLE DORIS GONZALEZ,
16 SUPREME COURT JUDGE

17 A P P E A R A N C E S:

18 WEITZ & LUXENBERG, PC
19 Attorneys For the Plaintiff
20 700 Broadway
21 New York, NY 10003
22 BY: ILANA WOLK AND NICHOLAS WISE, ESQ.

23 BLEAKLEY PLATT & SCHMIDT
24 Attorneys for the Defendant
25 One N Lexington Ave
White Plains, NY 10601
BY: WILLIAM HARRINGTON AND DAVID H. CHEN, ESQ.

MEAGHER & MEAGHER, PC
Attorneys For Defendants
111 Church Street
White Plains, NY 10601
BY: CHRISTOPHER MEAGHER AND CEILIDH MEAGHER, ESQ.

WESTCHESTER COUNTY LAW DEPARTMENT
Room 600, 148 Martine Ave
White Plains, NY 10601
BY: JOHN M. NONNA, ESQ.

Erica Mercorella
Senior Court Reporter

PROCEEDINGS

1 THE CLERK: This is index number, 64752 of 2019.
2 Melanie Gabari verses the County of Westchester.

3 THE COURT: Please note your appearances, please.
4 Slowly.

5 MS. WOLK: Good afternoon, your Honor. Ilana
6 Wolk, with Weitz and Luxenberg, 700 Broadway, New York, New
7 York. I represent the plaintiff, Melanie Gabari.

8 MR. WISE: Also for plaintiff, Melanie Gabari,
9 Nicholas Wise, Weitz and Luxenberg, 700 Broadway, New York,
10 New York 10003.

11 MR. HARRINGTON: William Harrington, Bleakly,
12 Platt and Schmidt, 1 North Lexington Avenue, White Plains,
13 New York, 10601 on behalf of the County of Westchester.

14 MR. CHEN: Good afternoon, your Honor. David Chen
15 from the Office of Bleakly, Platt and Schmidt, County of
16 Westchester.

17 MR. NONNA: Good afternoon, your Honor. John
18 Nonna, County Attorney for the Westchester County Law
19 Department, 148 Martine Avenue, White Plains, 10601.

20 MS. MEAGHER: Good afternoon, your Honor. Ceilidh
21 Meagher with the Law Office of Meagher and Meagher, PC.
22 111 Church Street, White Plains, New York, 10601, for
23 defendant Munsons.

24 MR. MEAGHER: Thank you, your Honor. Christopher
25 Meagher with Meagher and Meagher, PC on behalf of Carol

PROCEEDINGS

1 Munson, the Estate of George Munson and Jeffery Munson.

2 THE COURT: Okay. So are we happy to report a
3 settlement?

4 MR. WISE: We are, and this was -- and before we
5 get started, I want to thank the Court on behalf of all of
6 the parties, for the many hours you put in and your staff
7 put in over the last two days.

8 THE COURT: I appreciate that.

9 MR. WISE: We would not have reached this without
10 the Court's assistance and without the staff.

11 THE COURT: Thank you.

12 MR. WISE: So we have reached a settlement, the
13 terms of which are as follows:

14 There is a settlement with the County of
15 Westchester for 750,000 dollars to settle all claims. The
16 County of Westchester has advised that they got approval
17 from the County Board of Legislature and for funding, there
18 is a settlement with Jeff Munson, the Estate of George
19 Munson and Carol Munson. That settlement there is a
20 condition precedent that the settlement with the County of
21 Westchester first has to be approved. The terms of the
22 settlement with the Munson defendants are as follows:

23 There will be 100,000 dollars paid within 90 days.
24 There will be an additional 50,000 dollars paid to a
25 charity of the plaintiff of Melanie Gabari's choosing.

PROCEEDINGS

1 Said charity will be associated with victims of child
2 abuse. That charity will be a 501(c)(3) charity. Releases
3 for the Munsons will be held in escrow by Weitz and
4 Luxenberg, PC.

5 The payment to the charity will not come or be
6 made by whomever until the Law Office of Meagher and
7 Meagher and the entire 150,000 dollars in their escrow
8 account. The settlement with the county is subject to the
9 approval of the County Board of Legislatures, and with
10 respect to all defendants, this is in full satisfaction of
11 all claims by the plaintiff, all sexual abuse claims by the
12 plaintiff from 1981 through 1990.

13 THE COURT: Is there anything with respect to
14 county and art programs?

15 MR. WISE: There is. I have spoken both with
16 counsel for the county as well as the County Attorney.
17 It's a little complex, but we have a handshake and I have
18 little doubt that it's not going to be done.

19 MR. NONNA: Agreed.

20 THE COURT: Anything else that you would like to
21 add?

22 MR. HARRINGTON: Yes, just one thing, your Honor.
23 To echo the County, thanks for your patience and your hard
24 work and your staff. It's very much appreciated and we
25 understand the difficulty of managing this docket and few

PROCEEDINGS

1 judges can do it, and you are doing it particularly well
2 and we appreciate your time and all of the advice you given
3 us over the last two days.

4 THE COURT: Thank you.

5 MR. MEAGHER: The same gratitude from the Munson
6 defendants to the Court, and all part personnel who had
7 been courteous and patient over the last couple of days.

8 THE COURT: I appreciate that guys, but it's my
9 job. So --

10 MR. MEAGHER: You do it particularly well.

11 MR. NONNA: Let me thank you for doing your job.
12 I agree, we should not go with names if we don't have to,
13 they charge extra money for administrating the mediation
14 when you can have judges that don't charge more.

15 THE COURT: Exactly. And what did you -- what was
16 the demand when you left, 3.5 million? Did it move at all
17 or anything? Wait a minute, did you have to go into the
18 city for that?

19 MR. NONNA: It was virtual.

20 THE COURT: I appreciate that everyone, but it is
21 part of my job. But it's the inventory also that we have
22 to understand deserves that much time with all of the
23 nuances that we haven't been provided with, that we have to
24 work with. But on another note, I have started this
25 stipulation which says you withdraw all motions in limine

PROCEEDINGS

1 from 5, 6, 7, 8, 9 and 10. Please sign it off.

2 I have a question, why by notice of motion?

3 They're supposed to be done by order to show cause.

4 MR. HARRINGTON: Your Honor, the advice that you
5 provided, some judges want one way, some want it another.

6 THE COURT: That is cause some people don't know
7 how to do trial, you know when trial work is involved, it's
8 all by order to show cause with quick turn over.

9 MR. HARRINGTON: I understand all of those things,
10 your Honor. Thank you.

11 THE COURT: I kept seeing them come in with days
12 of notice of motion, which means there is a long period of
13 time to answer, respond to 60 day decisions. Order to show
14 cause, is an urgency to it, and I also can decline to sign
15 those too, before -- what date do you want for follow-up or
16 control date? Control date, January, the last week of
17 January, January 30th?

18 MR. HARRINGTON: That would be great.

19 MR. WISE: That would be great.

20 THE COURT: All right. Thank you.

21 MR. WISE: At 9:30. January 30th or --

22 THE COURT: No appearances really needed but if
23 there are any issues, usually after my foreclosure
24 calendar, so 10:30 to 11:00, my CVA calendar is always on
25 Wednesday.

PROCEEDINGS

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Now, what I can't wait to do is to send the e-mail that I settled it without adjourning it. Have a good day everybody. Appreciate your time of coming and spending the day. Very much appreciating it.

This is certified to be a true and accurate transcript of the stenographic notes.

Erica Mercorella

ERICA MERCORELLA

Official Court Reporter

FISCAL IMPACT STATEMENT

SUBJECT: Lawsuit Settlement:Gabari, Melanie 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 \$ 750,000

Total Current Year Revenue \$ -

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

Additional Appropriations

Other (explain)

Identify Accounts: 6N Fund: 615 59 0520 1150 4280 04

Potential Related Operating Budget Expenses: Annual Amount N/A

Describe: Public Official Liability Settlement of Gabari, Melanie G870281- (CVA Claim)

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: Taryn A. Chapman-Langrin

Title: Deputy County Attorney

Department: Law

Date: January 15, 2026

Reviewed By: 
Budget Director

Date: 1/28/26



Kenneth W. Jenkins
County Executive

Office of the County Attorney

John M. Nonna
County Attorney

February 2, 2026

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

Re: Request for authorization to settle the lawsuit of *Pompey v. Westchester County, New York, et al.*, pending in the United States District Court for the Southern District of New York, Case No. 23-cv-9337

Dear Honorable Members of the Board:

Attached for your consideration is an Act which, if enacted by your Board, would authorize the settlement of the litigation between Chevor Pompey ("Plaintiff") and the County, as set forth below.

Plaintiff, a former employee of the County, commenced this action against the County and individual defendants, alleging discrimination and retaliation relating to a failure to promote him during his tenure with the County. Following discovery, the District Court granted partial summary judgment to the Defendants, dismissing several of Plaintiff's claims and theories. The District Court found that Plaintiff had no direct evidence of discrimination by any individual defendant. Instead, the District Court limited Plaintiff's discrimination claim to a "cat's paw" theory of discrimination based on Plaintiff's allegations that a non-defendant supervisor discriminated against him, and that supervisor's discriminatory animus caused him to not be promoted. With respect to Plaintiff's retaliation claim, the District Court limited the claim to a question of whether a supervisor's postponing of a meeting regarding a promotional track, in response to an email threatening litigation, was sufficiently chilling, when the department head, the same day, offered to meet with Plaintiff regarding the issues presented. Trial on these remaining issues is scheduled to begin April 13, 2026.

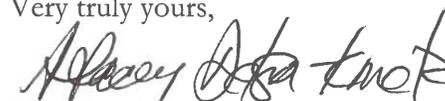
On January 22, 2026, the parties appeared for a settlement conference before U.S. Magistrate Judge Judith McCarthy. The parties negotiated in good faith, and were able to reach the proposed settlement being presented here. The settlement dismisses all claims against the individual defendants, and admits that there is no claim that they directly discriminated against him. With respect to the

County, there is no admission of liability. The County will pay \$200,000 in full settlement of this action, including all costs, expenses, and attorneys' fees.

In reaching this settlement, this Office has considered several factors. First, the County has been ably represented in this matter by Lalit Loomba at the Quinn Law Firm; to go forward to trial, the County will incur a significant amount of additional attorneys' fees, as well as expert witness expenses relating to Plaintiff's damages. Second, while the County believes that Plaintiff's claims have no merit, we acknowledge that there are always risks going forward to trial. Further, given the nature of Plaintiff's claims, were he to prevail at trial, he would be entitled to an award of attorneys' fees and costs, even if a judgment was relatively modest. As such, while the chance of exposure may be small, the size of the potential monetary exposure could be high.

I believe the proposed settlement is fair, reasonable, and in the best interest of the County, and I therefore recommend adoption of the enclosed Act.

Very truly yours,



Stacey Dolgin-Kmetz
Chief Deputy County Attorney

SDK/jra

BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act which, if enacted by your Board, would authorize the settlement of the litigation between Chevor Pompey (“Plaintiff”) and the County, as set forth below.

Your Committee is informed that Plaintiff, a former employee of the County, commenced this action against the County and individual defendants, alleging discrimination and retaliation relating to a failure to promote him during his tenure with the County. Following discovery, the District Court granted partial summary judgment to the Defendants, dismissing several of Plaintiff’s claims and theories. The District Court found that Plaintiff had no direct evidence of discrimination by any individual defendant. Instead, the District Court limited Plaintiff’s discrimination claim to a “cat’s paw” theory of discrimination based on Plaintiff’s allegations that a non-defendant supervisor discriminated against him, and that supervisor’s discriminatory animus caused him to not be promoted. With respect to Plaintiff’s retaliation claim, the District Court limited the claim to a question of whether a supervisor’s cancelling of a meeting regarding a promotional track, in response to an email threatening litigation, was sufficiently chilling, when the department head, the same day, offered to meet with Plaintiff regarding the issues presented. Trial on these remaining issues is scheduled to being April 13, 2026.

Your Committee is further informed that On January 22, 2026, the parties appeared for a settlement conference before U.S. Magistrate Judge Judith McCarthy. The parties negotiated in good faith, and were able to reach the proposed settlement being presented here. The settlement dismisses all claims against the individual defendants, and admits that there is no claim that they directly

discriminated against him. With respect to the County, there is no admission of liability. The County will pay \$200,000 in full settlement of this action, including all costs, expenses, and attorneys' fees.

Your Committee is advised that the County has been ably represented in this matter by Lalit Loomba at the Quinn Law Firm; to go forward to trial, the County will incur a significant amount of additional attorneys' fees, as well as expert witness expenses relating to Plaintiff's damages. The County Attorney's Office further advises that, while the County believes that Plaintiff's claims have no merit, there are always risks going forward to trial. Further, given the nature of Plaintiff's claims, were he to prevail at trial, he would be entitled to an award of attorneys' fees and costs, even if a judgment was relatively modest. As such, while the chance of exposure may be small, the size of the potential monetary exposure could be high.

The County Attorney's Office has recommended approval of the settlement. Your Committee concurs with this recommendation and recommends that this Honorable Board adopt the proposed Act.

Dated: White Plains, New York

, 2026

COMMITTEE ON

ACT NO.**2026**

AN ACT authorizing the County Attorney to settle the lawsuit of *Pompey v. Westchester County, New York, et al.*, pending in the United States District Court for the Southern District of New York, Case No. 23-cv-9337

BE IT ENACTED by the County Board of Legislators of the County of Westchester as follows:

Section 1. The County Attorney is hereby authorized to settle the proceeding entitled *Pompey v. Westchester County, New York, et al.*, pending in the United States District Court for the Southern District of New York, Case No. 23-cv-9337 in the amount of \$200,000, inclusive of all costs and attorneys' fees.

Section 2. The County Attorney or his designee is hereby authorized to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purposes hereof.

Section 3. This Act shall take effect immediately.