

ACT 271 - 2025

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 LYNNE HOFFMAN and JEROME P. SILVERMAN, in Supreme Court Westchester County, Index No. 61952/2022, in the amount of \$200,000.00, inclusive of attorney's fees.

The matter arises from a bicyclist's fall while riding on the Heathcote Bypass, a County-designated roadway located in the Village of Scarsdale. The accident occurred on April 7, 2021, at approximately 3:00 p.m. Plaintiff Lynne Hoffman was riding her bicycle when she entered a section of the roadway that was in an alleged state of disrepair. Plaintiff hit a pothole with her front tire that caused her to fall from the bicycle and suffer personal physical injuries of a permanent nature. Plaintiff's husband filed loss of consortium claims against the County as well.

This settlement takes into consideration the factual allegations, the nature of plaintiffs' injuries, and the County's issues regarding prior notice and the duty to maintain and repair the accident location. It is likely that if this matter were to proceed to trial the County would be found liable for plaintiffs' injuries and expose the County to a substantial monetary verdict.

Under the circumstances, the County Attorney's Office engaged in protracted negotiation with plaintiffs and the Court's assistance to arrive at this settlement.

Plaintiffs are represented by Daniel Heyman, Esq., 500 Summit Lake Drive, Valhalla, New York 10595, and Ellen M. Hoffer, Esq., 500 Mamaroneck Avenue, Harrison, New York 10528.

The accompanying Act will authorize settlement of the lawsuit entitled LYNNE HOFFMAN and JEROME P. SILVERMAN v. THE COUNTY OF WESTCHESTER, in Supreme Court Westchester County, Index No. 61952/2022, in the amount of \$200,000.00, inclusive of attorney's fees.

Your Committee has carefully considered the subject matter, the settlement proposal, and the attached Act, and recommends authorizing the County Attorney or his designee to settle the lawsuit entitled LYNNE HOFFMAN and JEROME P. SILVERMAN v. THE COUNTY OF WESTCHESTER, in Supreme Court Westchester County, Index No. 61952/2022, in the amount of \$200,000.00, 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

November 24, 2025

Laurel Williams Johnson
Colin O'M
S.H.
Pat O
Walt
Devin

Colin O'M
Guiliana Ulay
Devin

COMMITTEE ON

Budget & Appropriations

Law & Major Contracts

ACT NO. 271 - 2025

AN ACT authorizing the County Attorney to settle the lawsuit of LYNNE HOFFMAN and JEROME P. SILVERMAN v. THE COUNTY OF WESTCHESTER, in Supreme Court Westchester County, Index No. 61952/2022, in the amount of \$200,000.00, 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 LYNNE HOFFMAN and JEROME P. SILVERMAN v. THE COUNTY OF WESTCHESTER, in Supreme Court Westchester County, Index No. 61952/2022, in the amount of \$200,000.00, 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.

FISCAL IMPACT STATEMENT

SUBJECT: Lawsuit Settlement: Lynne Hoffman

☐ 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 \$ 200,000

Total Current Year Revenue \$ -

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

☐ Additional Appropriations

☒ Other (explain)

Identify Accounts: 6N Fund: 615 ORG: 59 Unit/subunit: 0701/4510 Object/sub object: 4280/04

Potential Related Operating Budget Expenses: Annual Amount N/A

Describe: Settlement of General Liability Claim G210037 Hoffman, Lynne

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: John Fico

Title: Deputy County Attorney

Department: Law

Date: October 23, 2025

Reviewed By: PH

Budget Director

Date:

10/27/25

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 271 - 2025, 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 December 8, 2025, and approved by the County Executive on December 15, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 15th day of December, 2025.

Malika Vanderberg

Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

