

Law & Major Contracts

BOL Meeting Minutes - Published Draft



Committee Chair: David Imamura

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

Monday, June 30, 2025

10:00 AM

Committee Room

Joint with B&A

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/>. This website also provides links to materials for all matters to be discussed at a given meeting.

Legislator Emiljana Ulaj will be participating remotely from 520 White Plains Road, Tarrytown, NY 10591.

Legislator Colin Smith will be participating remotely from 1132 Main Street, Suite 1, Peekskill, NY 10566.

With a quorum present, Vice-Chair Smith called the meeting to order at 10:45 a.m.

Others in Attendance: BOL: Legislators: Erika Pierce, Judah Holstein, and Shanae Williams; Legislators (Remote): Jewel Williams Johnson and Catherine Parker; Committee Coordinators: Jill Axelrod and James Silverberg; Santiago Caceres; Lisa Hochman (Remote); Law Dept.: John Nonna, Justin Adin, and Francesca Mountain

Present: Legislator Woodson-Samuels, Legislator Barr, Legislator Smith and Legislator Gashi

Absent: Legislator Imamura

Remote: Legislator Ulaj

MINUTES APPROVAL

Monday, June 2, 2025 at 10:00 a.m.

On motion of Legislator Barr, seconded by Legislator Ulaj, the minutes were approved. The motion carried by the following vote:

Aye: Legislator Ulaj, Legislator Woodson-Samuels, Legislator Barr, Legislator Smith and Legislator Gashi

Absent: Legislator Imamura

I. ITEMS FOR DISCUSSION

1. [ACT-2025-140](#) ACT - Save the Sound Lawsuit Settlement

Guests: Law Dept.: County Attorney John Nonna and Asst. Chief Deputy County Attorney Justin Adin

Mr. Adin said this is an environmental lawsuit brought under the Clean Water Act relating to four of the County's sewer districts. He explained that in 2009, the County entered into consent orders with NYSDEC relating to nitrogen removal from the Long Island Sound, and overflow retention facilities in the New Rochelle Sewer District. In 2012, the County did flow monitoring of the four districts, and negotiated IMAs with the municipalities in those districts to do work on their systems to remove excess flow.

Mr. Adin stated that in 2015, Save the Sound filed a lawsuit alleging that the County failed to comply with the settlement because it was not enforcing County Sewer Act, and had not stopped discharging from the overflow retention facilities. He added that the lawsuit was amended to name all of the municipalities in the districts. The matter was stayed in 2016 for settlement discussions, and all of the municipalities have since settled with Save the Sound.

He said that under the settlement, the County agrees to: 1) take reasonable measures to enforce the County Sewer Act within the four districts; 2) conduct flow monitoring in 2037 or later after the municipalities have finished their work; 3) pay \$425,000 in attorneys' fees and costs, and another \$25,000 to cover any future monitoring fees and costs; and 4) spend \$475,000 on future environmental benefit projects.

With a motion by Chairman Gashi seconded by Legislator Barr, the committee went into executive session to discuss legal strategy at 11:03 a.m. With a motion by Chairman Gashi seconded by Legislator Barr, the committee came out of executive session at 11:30 a.m.

On motion of Legislator Barr, seconded by Legislator Gashi, the above item was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

Aye: Legislator Ulaj, Legislator Barr, Legislator Smith and Legislator Gashi

Absent: Legislator Imamura

Away: Legislator Woodson-Samuels

2. [ACT-2025-141](#) ACT - Lawsuit of Colamonico v. Frascone

Guests: County Attorney John Nonna and Associate County Attorney Francesca Mountain

Ms. Mountain said this lawsuit sought to remove Mr. Frascone's name from the Working Parties line on the ballot for the November 2024 election, and named the Republican and Democratic Election Commissioners as necessary parties. She said that the County would usually be neutral on this type of issue, but in this case, the two commissioners had differing opinions on whether to take a position. Based on their conflicting views on how to handle the case, each commissioner hired outside counsel, and this Act seeks approval to pay their attorneys' fees.

On motion of Legislator Barr, seconded by Legislator Gashi, the above item was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

Aye: Legislator Ulaj, Legislator Barr, Legislator Smith and Legislator Gashi

Absent: Legislator Imamura

Away: Legislator Woodson-Samuels

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Barr, seconded by Legislator Ulaj, the Committee adjourned at 11:43 a.m. by the following vote:

Aye: Legislator Ulaj, Legislator Barr, Legislator Smith and Legislator Gashi

Absent: Legislator Imamura

Away: Legislator Woodson-Samuels