

# Law & Major Contracts

## BOL Meeting Minutes - Published Draft



Committee Chair: Damon Maher

800 Michaelian Office Bldg.  
148 Martine Avenue, 8th Floor  
White Plains, NY 10601  
[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

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Tuesday, June 20, 2023

10:00 AM

Committee Room

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### CALL TO ORDER

Joint with Budget & Appropriations committee

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. *With a quorum present, Vice-Chair Imamura called the meeting to order at 10:15 a.m.*

*Others in Attendance: BOL: Legislators: Erika Pierce and David Tubiolo; Legislator James Nolan (Remote); Committee Coordinators: Jill Axelrod and James Silverberg; Law Dept.: Daniela Infield; WCC: Dr. Belinda Miles, Dolores Swirin-Yao, Stewart Glass, and Richard Cruz*

**Present:** Legislator Barr, Legislator Gashi, Committee Vice-Chair Imamura, Legislator Parker and Legislator Williams Johnson

**Absent:** Committee Chair Maher and Legislator Smith

### MINUTES APPROVAL

#### I. ITEMS FOR DISCUSSION

[2023-229](#)      **ACT - Agreement Amendment with Stephen Einstein & Assoc., P.C. re Legal Collection Services**

Guests: Law Dept.: Senior Assistant County Attorney Daniela Infield; Westchester Community College: President Dr. Belinda Miles, Dolores Swirin-Yao, Stewart Glass, and Richard Cruz

*Ms. Infield, Dr. Miles, Ms. Swirin-Yao, Mr. Glass, and Mr. Cruz discussed the item. They advised that Westchester Community College (WCC) decided in conjunction with the County Attorney's Office to pursue collection efforts through an outside law firm with sufficient expertise and staffing to handle the 300 to 400 delinquent student accounts per year. In December 2013, the County entered into an agreement with Stephen Epstein & Associates P.C. (whose name was later changed to Tromberg, Morris & Poulin, PLLC) for a five-year term with three additional one-year options. The current extension is requested to provide time for WCC to receive responses to a Request for Proposals ("RFP") seeking qualified law firms to provide "of counsel" legal services to the County Attorney in connection with the recovery of delinquent student accounts at the College. Due to the pandemic and change-over of staff, WCC was unable to prepare an RFP prior to the termination of the agreement on May 31, 2021, but an RFP has recently been issued and responses are due back in June.*

*This legislation would authorize the County to amend the agreement to retain Tromberg, Morris & Poulin, PLLC to provide legal collection services in an "of counsel" capacity to the County Attorney for recovery of delinquent student accounts for WCC for the term commencing June 1, 2021 and terminating on August 31, 2023.*

*The legislators had several questions:*

- 1. What is the law firm's process for collection?*
- 2. Was interest accruing during the pause on collections during COVID?*
- 3. What is the breakdown of the number of students and the delinquent students?*
- 4. How much money is owed, and what is the median amount owed?*
- 5. Is there any leeway with the interest rates on the debt?*
- 6. What type of payment plans does WCC enter into with students prior to collections, and what is the term? Is interest charged on the payment plans?*
- 7. Who are the 300 to 400 students who are falling behind in their payments? What is the average amount of each student's indebtedness?*
- 8. Can the 40 existing cases be pursued if the extension to the agreement through August 31st is not entered into?*

*Mr. Glass said they will provide answers to these questions when they come back before the committees in September for approval of the RFP.*

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

**Aye:** Legislator Barr, Legislator Gashi and Legislator Williams Johnson

**Nay:** Legislator Parker

**Absent:** Committee Chair Maher and Legislator Smith

**WO Prejudice:** Committee Vice-Chair Imamura

## **II. OTHER BUSINESS**

## **III. RECEIVE & FILE**

## **ADJOURNMENT**

Moved by Legislator Parker, seconded by Legislator Barr, the Committee adjourned at 11:07 a.m.