

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Attorney recommending the approval of an Act that, if adopted by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an agreement (the "Agreement") to retain, at County expense, the law firm of Jackson Lewis P.C. ("Jackson Lewis") to serve in an "of counsel" capacity to the County Attorney, as needed, (the "Services") in connection with the provision of legal advice and counsel regarding withdrawal liability for a multiemployer pension plan under the Multiemployer Pension Plan Amendments Act of 1980 and other applicable law.

The County Attorney has advised your Committee that the term of the proposed Agreement will commence on September 27, 2023 and continue through November 30, 2023.

The County Attorney has advised your Committee that, under the proposed Agreement, Jackson Lewis will be paid a total amount not-to-exceed Ten Thousand Dollars (\$10,000.00), payable at a rate of Five Hundred and Fifty Dollars (\$550.00) per hour for the services of all principals of the firm, and payable at a twenty percent (20%) discount off of standard rates for the services of all other timekeepers.

The County Attorney has advised your Committee that procurement of the Services is exempt from the competitive procurement requirements of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)(x) thereof.

Your Committee concurs with the conclusion that the proposed Act does not meet the definition of an action under New York State Environmental Quality Review Act and its

implementing regulations, 6 NYCRR Part 617. Accordingly, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 8, 2024, which is on file with the Clerk of the Board of Legislators.

Your Committee has been advised that the adoption of the proposed Act requires an affirmative vote of a majority of the members of your Honorable Board.

After due consideration, your Committee recommends adoption of the proposed Act.

Dated: April 29th, 2024

White Plains, New York

~~Henry Zeller Jones~~
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David J. Tubitt
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COMMITTEE ON

Budget &
Appropriations

Labor &
Human Rights

Law & Major
Contracts

Dated: April 29, 2024
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Handwritten signature of Colin J. Amodeo in black ink.Handwritten signature of M. Witt in black ink.

**COMMITTEE ON
Budget & Appropriations**

FISCAL IMPACT STATEMENT

SUBJECT: Jackson Lewis P.C. -Pension Plan 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 \$50,000

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 NTE \$50,000. Term commenced on September 27, 2023 and will continue until the County determines, in its sole discretion, that the services are no longer required.

Potential Related Operating Budget Expenses: Annual Amount N/A

Describe: An act authorizing the County to retain, at County expense, the law firm of Jackson Lewis P.C. to serve in an "of counsel" capacity to the County Attorney, in connection with the provision of legal advice and counsel regarding withdrawal liability for a multiemployer pension plan.

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: Patricia Haggerty

Title: Sr. Budget Analyst

Department: Budget

Date: February 7, 2024

Reviewed By: 

8/4 Budget Director

Date: 2/7/24

ACT NO. 2024 - 77

AN ACT authorizing the County to retain, at County expense, the law firm of Jackson Lewis P.C. to serve in an “of counsel” capacity to the County Attorney, as needed, in connection with the provision of legal advice and counsel regarding withdrawal liability for a multiemployer pension plan under the Multiemployer Pension Plan Amendments Act of 1980 and other applicable law.

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

Section 1. The County of Westchester (the “County”) is hereby authorized to enter into an agreement (the “Agreement”) to retain, at County expense, the law firm of Jackson Lewis P.C. (“Jackson Lewis”) to serve in an “of counsel” capacity to the County Attorney, as needed, (the “Services”) in connection with the provision of legal advice and counsel regarding withdrawal liability for a multiemployer pension plan under the Multiemployer Pension Plan Amendments Act of 1980 and other applicable law.

§2. The Agreement shall be for a term that will commence on September 27, 2023 and continue through November 30, 2023. For the Services, Jackson Lewis will be paid a total amount not-to-exceed Ten Thousand Dollars (\$10,000.00), payable at a rate of Five Hundred and Fifty Dollars (\$550.00) per hour for the services of all principals of the firm, and payable at a twenty percent (20%) discount off of standard rates for the services of all other timekeepers.

§3. The County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to carry out the purposes of this Act.

§4. This Act shall take effect immediately.

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 77 - 2024, 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 April 29, 2024, and approved by the County Executive on May 2, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 3rd day of May, 2024.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

