

ACT 173 - 2023

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 second of two claims in the lawsuit entitled, Sydnor v. The County of Westchester, et al, Westchester County Supreme Court Index No. 68352/2015, in the amount of \$625,000.

This matter is pending in Westchester County Supreme Court. The matter tentatively settled on May 11, 2023 pending this Board's approval of a settlement in the amount of \$625,000.00, inclusive of attorney's fees.

Plaintiff Shannen Sydnor was stopped at a red light on Nepperhan Avenue at the intersection with Lake Avenue in Yonkers when she was rear-ended by a Liberty Lines bus. An ambulance transported the plaintiff from the scene of the accident to St. John's Riverside Hospital Emergency Room.

The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, subsequent proceedings and potential appeal. Both outside counsel and our insurer's adjuster recommend this settlement. The County will pay the \$250,000. self-insured retention in its insurance policy.

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 Sydnor v. The County of Westchester, et al, Westchester County Supreme Court, Index No. 68352/2015, in the amount of \$625,000., inclusive of attorney's fees.

An affirmative vote of a majority of the Board is required to pass this legislation.

Dated: September 18<sup>th</sup>, 2023

White Plains, New York

Amel Zaki John

Debat Jadhav

Symia Brandon

David Ann

Don N. Males

Yanoff

Yanoff

Amel Zaki John

Debat Jadhav

David Ann

Don N. Males

Yanoff

COMMITTEE ON

Budget &  
Appropriations

Law & Major  
contracts

Dated: September 18, 2023  
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.**

*Colin J. Smith*

*Catherine F. Parker*

*Colin J. Smith*

*Catherine F. Parker*

**COMMITTEES ON**

Budget & Appropriations

Law & Major Contracts

ACT NO. 173 - 2023

AN ACT authorizing the County Attorney to settle the lawsuit entitled Sydnor v. County of Westchester, et al, Westchester County Supreme Court, Index No. 68352/2015, in the amount of \$625,000.00, 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 entitled, Sydnor v. County of Westchester, et al, Westchester County Supreme Court Index No. 68352/2015, in the amount of \$625,000.00, inclusive of attorney's fees. The County will pay the \$250,000. self-insured retention in its insurance policy.

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: Sydnor v. COW et al (Liberty Lines)  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 \$ 250,000

Total Current Year Revenue \$ -

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

Additional Appropriations

Other (explain)

Identify Accounts: 101-44-2100-4924

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: July 7, 2023

Reviewed By: *Christina Rump*

Budget Director

Date: 7/25/23

STATE OF NEW YORK            )  
  )    ss.  
WESTCHESTER COUNTY        )

I **HEREBY CERTIFY** that I have compared the foregoing Act, Act No. 173 - 2023, 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 September 18, 2023, and approved by the County Executive on September 19, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 20<sup>th</sup> day of September, 2023.



Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

