

Law & Major Contracts

BOL Meeting Minutes - Published Draft



Committee Chair: Nancy Barr

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148 Martine Avenue, 8th Floor
White Plains, NY 10601
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Wednesday, June 16, 2021

10:00 AM

Committee Room

CALL TO ORDER

Joint with Legislation committee

With a quorum present, Chair Covill called the meeting to order at 10:14 a.m.

Pursuant to Governor Andrew Cuomo's Executive Order No. 202.1, "Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency," which temporarily suspends portions of the New York State Open Meetings Law. A section of the order, "Suspension of law allowing the attendance of meetings telephonically or other similar services," provides for the suspension of "Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed."

Others in attendance: BOL: Legislator Ruth Walter (Remote); Lisa Hochman; Committee Coordinator Jill Axelrod LAW: John Nonna and Stacey Dolgin-Kmetz

Present: Committee Vice-Chair Barr, Legislator Boykin and Legislator Covill

Absent: Legislator Gashi

Remote: Legislator Alvarado, Committee Vice-Chair Shimsky and Legislator Smith

MINUTES APPROVAL

June 7, 2021 at 1:00 p.m.

I. ITEMS FOR DISCUSSION

1. [2021-306](#) **PH - Independent Office of Assigned Counsel**

Guests: County Attorney John Nonna and Chief Deputy County Attorney Stacey Dolgin-Kmetz

The committees continued their discussion of the legislation. Chairman Boykin reiterated his request that the second sentence of Sec. 186.41(a) be changed to provide that one member shall be a former Town, Village or City Court judge in Westchester. Mr. Nonna said they would add the word "City" to the legislation.

Legislators Covill and Smith suggested that the second to last sentence of Sec. 186.41(a) be modified to require that the two Board members who are active members of the County's 18-B panel include "one who practices in Family Court and who practices in Criminal Court."

After discussion of whether Section 186.41(d) should be modified to include a requirement that the Chair of the Board of Directors be an attorney, Mr. Nonna suggested the committees take a vote to decide.

Legislator Covill said she would like input from the Westchester Bar Association, and Mr. Nonna suggested reaching out to its president, Jim Hyer, as well as the presidents of other bar associations. He also suggested reaching out to Bob Horne, the current Administrator of the Assigned Counsel Plan for Legal Aid, or Karen Needleman, who previously held the position but since retired. He suggested asking Ms. Needleman to act as a consultant to help set up the County's Office of Assigned Counsel.

Legislator Covill requested that language be added to Sec. 186.41 providing that no member of the Legal Aid Society Board of Directors shall serve on the Assigned Council Board of Directors.

Ms. Dolgin-Kmetz confirmed that as requested by Chairman Boykin, she had changed Sec. 186.41(e) to reflect that three Board members (rather than five) would be appointed for three year terms.

Legislator Covill requested that Sec. 186.61(a) be amended to add a requirement that the Assigned Counsel Administrator shall be an attorney admitted to the bar for at least 10 years.

Legislator Barr suggested that Sec. 186.71(o) should be changed from "the Assigned Counsel Administrator shall ... prepare contracts with appropriate legal organization such as the Westchester County Bar Association" to "including but not limited to the Westchester County Bar Association."

Chairman Boykin requested that "or any other sources" be added after "sources of state and federal funding" in Sec. 186.71(t) to be as broad as possible.

Legislator Covill questioned whether the training for assigned counsel would be free, and Mr. Nonna said they put funds for training in the budget.

This RESOLUTION - Public Hearing was tabled

2. [2021-307](#) **LEGISLATORS JOHNSON AND WOODSON-SAMUELS - LL - Independent Office of Assigned Counsel**

Guests: County Attorney John Nonna and Chief Deputy County Attorney Stacey Dolgin-Kmetz

See discussion of Item #1 above.

This LOCAL LAW - Amendment to Local Law was tabled

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Covill, seconded by Legislator Alvarado, the Committee adjourned at

11:14 a.m..

DRAFT