



TRANSMITTAL MEMO

To: The Honorable Members of the Board of Legislators

From: John M. Nonna, Westchester County Attorney

Date: April 28, 2026

Re: Request for authorization to settle the lawsuit of *Eugene and Sarah Elizabeth Gasparre v. County Of Westchester*, in Supreme Court Westchester County, Index No. 64094/2014, for the amount of \$400,000.00, inclusive of attorney's fees.

Attached for your consideration is an Act which if enacted by your Board would authorize the settlement of the lawsuit of *Eugene and Sarah Elizabeth Gasparre v. County Of Westchester*, in Supreme Court Westchester County, Index No. 64094/2014, for the amount of \$400,000.00, inclusive of attorney's fees.

This is a claim for physical injuries stemming from exposure to biohazardous material while plaintiff Eugene Gasparre was working at the County's New Rochelle Wastewater Treatment plant at 1 LeFevres Lane, New Rochelle. At the time of the exposure, Gasparre was employed as a laborer by Yonkers Contracting Co., Inc. and working at the facility in connection with a capital improvement project. Gasparre claimed that he was exposed to biohazardous substances after handling wood planking stored near sewage waste bins that become contaminated as a result of raw sewage draining from those bins. Gasparre has alleged permanent gastrointestinal injuries as a result of this exposure. Gasparre brought his claims under the strict liability provisions of the New York State Labor Law.

The Law Department believes a settlement of plaintiffs' claims would be in the best interests of the County of Westchester. Under the factual and legal circumstances of this case, I believe the settlement is reasonable and recommend its approval.

Therefore, I am respectfully requesting that this Honorable Board pass the accompanying Act authorizing the settlement of these claims.

FISCAL IMPACT STATEMENT

SUBJECT: _____

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense _____

Total Current Year Revenue _____

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

Identify Accounts: _____

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: _____ **Approved by:** _____

Title: _____ **Budget Director**

Department: _____ **Date:** _____

Date: _____

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 lawsuit of *Eugene and Sarah Elizabeth Gasparre v. County Of Westchester*, in Supreme Court Westchester County, Index No. 64094/2014, for the amount of \$400,000.00, inclusive of attorney's fees.

Your Committee is informed, this matter arises from plaintiff Eugene Gasparre's ("Gasparre") alleged exposure to biohazardous material while he was working at the County's New Rochelle Wastewater Treatment plant ("NRWTP") located at 1 LeFevres Lane, New Rochelle. At the time of the exposure, Gasparre was employed as a laborer by Yonkers Contracting Co., Inc. and working at the facility in connection with a capital improvement project. Gasparre claimed that he was exposed to biohazardous substances after handling wood planking stored near sewage waste bins that become contaminated as a result of raw sewage draining from those bins. Gasparre has alleged permanent gastrointestinal injuries as a result of this exposure. Gasparre brought his claims under the strict liability provisions of the New York State Labor Law.

Your Committee is further informed that this proposed settlement takes into consideration the factual allegations, the nature of plaintiffs' injuries, and the County's potential liability under the New York State Labor Law to maintain the NRWTP in a safe manner for workers on the premises. The County Attorney's Office has advised that, if this matter were to proceed to trial and the County found liable for plaintiffs' injuries, it could expose the County to a substantial monetary verdict.

Your Committee notes that the County Attorney's Office engaged in protracted negotiations with plaintiffs to arrive at this settlement, and recommends its approval as being in the best interests of the County.

Your Committee has carefully considered the subject matter, the settlement proposal, and the attached Act, and recommends adoption of this Act.

Dated: White Plains, New York

, 2026

COMMITTEE ON

ACT NO. -2026

AN ACT authorizing the County Attorney to settle the lawsuit of *Eugene and Sarah Elizabeth Gasparre v. County Of Westchester*, in Supreme Court Westchester County, Index No. 64094/2014, for the amount of \$400,000.00, 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 *Eugene and Sarah Elizabeth Gasparre v. County Of Westchester*, in Supreme Court Westchester County, Index No. 64094/2014, for the amount of \$400,000.00, inclusive of attorney's fees.

Section 2. The County Attorney or his designee is hereby authorized and empowered to execute and deliver all documents and take such action as the County Attorney deems necessary or desirable to accomplish the purpose of this Act.

Section 3. This Act shall take effect immediately.