



Committee on Law & Major Contracts

~MINUTES~

Friday, March 22, 2019

8:30 AM

Committee Chair: Lyndon Williams

Committee Room, 148 Martine Avenue, 8th Floor, White Plains, NY 10601

www.westchesterlegislators.com

CALL TO ORDER

With a quorum present, Legislator Williams called the meeting to order at 8:34 a.m.

Attendee Name	Title	Status	Arrived
Lyndon Williams	Chair	Present	
Nancy Barr	D6 Legislator	Present	
Gordon A. Burrows	D15 Legislator (Minority Whip)	Present	
Kitley Covill	D2 Legislator	Present	
MaryJane Shimsky	D12 Legislator (Majority Whip)	Present	

Others In Attendance: LAW: John Nonna, Jane Hogan Felix BOL: Legislator Damon Maher, Jill Axelrod, Committee Coordinator

MINUTES APPROVAL

1. Monday, March 11, 2019 at 10:02 AM

On motion of Legislator Burrows, seconded by Legislator Shimsky, the minutes were approved by a vote of 5 - 0.

2. Monday, March 11, 2019 at 3:01 PM

On motion of Legislator Burrows, seconded by Legislator Shimsky, the minutes were approved by a vote of 5 - 0.

3. Monday, March 18, 2019 at 12:00 PM

On motion of Legislator Burrows, seconded by Legislator Shimsky, the minutes were approved by a vote of 5 - 0.

I. ITEMS FOR DISCUSSION

1. **(ID # 11657) Act – Lawsuit Settlement - Sharon Johnson v. Liberty Lines:**

AN ACT authorizing the County Attorney to settle the lawsuit of Sharon Johnson v. Liberty Lines Transit Inc., et al, in the amount of ONE HUNDRED THOUSAND (\$100,000) DOLLARS, inclusive of attorney's fees.

County Attorney John Nonna and Senior Assistant County Attorney Jane Hogan Felix discussed the case, in which the plaintiff was injured when she exited the rear door of a bus that had pulled up to the bus stop at an angle to the curb. She injured her right foot and left ankle, both of which required surgery.

At 8:49 a.m., with a motion by Legislator Burrows seconded by Legislator Barr, the committee went into executive session to discuss litigation strategy for both items on the agenda. At 9:12 a.m., with a motion by Legislator Covill seconded by Legislator Shimsky, the committee came out of executive session.

With a motion of Legislator Burrows, seconded by Legislator Shimsky, the item was approved by a vote of 5 - 0.

RESULT: SIGNED BY COMMITTEE

2. (ID # 11697) Act – Lawsuit Settlement of Gloria Booker Davis v. Liberty Lines Transit:

AN ACT authorizing the County Attorney to settle the lawsuit of Gloria Booker Davis v Liberty Lines Transit Inc., in the amount of FOUR HUNDRED THOUSAND (\$400,000) DOLLARS, inclusive of attorney's fees.

Mr. Nonna and Ms. Hogan Felix discussed the case, in which the plaintiff, driving south in a van, and a Liberty Lines bus heading north sideswiped each other. The plaintiff alleged that she was hit in the face by her sideview mirror. She was taken to the hospital and diagnosed with cervical strain. She was treated for two years with injections and physical therapy, and then had cervical fusion surgery. Ms. Hogan Felix advised that the County had hired an accident reconstruction specialist and an independent medical examiner (IME), neither of whom were helpful to the defendant. She also stated that the settlement was arrived at in mediation, and was consistent with jury verdicts in the Bronx.

With a motion of Legislator Barr, seconded by Legislator Covill, the item was approved by a vote of 5 - 0.

RESULT: SIGNED BY COMMITTEE

II. OTHER BUSINESS

Unfinished Business and any other agenda items to come before the Committee.

Legislator Burrows asked Mr. Nonna about the status of discussions regarding Playland. Mr. Nonna advised that discussions were ongoing between the Law Department and Standard's legal counsel, and had occurred as recently as yesterday. He noted that the County will not air any grievances in the press. Legislator Williams noted that he wants to allow the negotiations to proceed without committee involvement until the appropriate time. Legislator Shimsky echoed these sentiments as to the Public Safety Committee.

III. RECEIVE & FILE

1. (ID # 11692) Communication – HON. MARYJANE SHIMSKY: Governing Magazine Article - "Opioid Epidemic and Syphilis Outbreaks Complicate Trumps HIV Plan":

Forwarding a *Governing Magazine* article entitled, "Opioid Epidemic and Syphilis Outbreaks Complicate Trumps HIV Plan."

Mr. Nonna updated the committee on the opioid litigation. The federal lawsuit is going forward this fall, and all the evidence against the manufacturer is there, and can be used in

the New York case. The County is developing its damages evidence, which is in the range of \$50 million.

With a motion by Legislator Shimsky, seconded by Legislator Burrows, the item below was received & filed with a vote of 5 - 0.

ADJOURNMENT

Moved by Legislator Covill and seconded by Legislator Barr, the Committee adjourned at 9:12 a.m.