



## 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	Absent	
Gordon A. Burrows	D15 Legislator (Minority Whip)	Present	
Kitley Covill	D2 Legislator	Present	
MaryJane Shimsky	D12 Legislator (Majority Whip)	Absent	
Jill Axelrod	Comm. Coor.	Present	

Others In Attendance: LAW: John Nonna, Justin Adin, Sean Carey

## MINUTES APPROVAL

1. Friday, April 26, 2019 at 8:30 AM

**On motion of Legislator Burrows, seconded by Legislator Covill, the minutes were approved by a vote of 3 - 0.**

## I. ITEMS FOR DISCUSSION

1. **ACT-2019-97 Act – Settlement of Workers Comp Lien (M.N.):**

AN ACT authorizing the County of Westchester to compromise its right to be reimbursed for health care and wage benefits paid to or on behalf of a County employee, from a settlement of her legal action against a third-party tortfeasor.

County Attorney John Nonna and Assistant County Attorney Sean Carey discussed the case. Mr. Carey stated that M.N., a sergeant in the County Department of Public Safety, suffered injuries while driving her patrol car when she hit the car in front of her that had come to a complete stop. She has an agreement in principal to settle her personal injury lawsuit against the owner/operator of the other car for \$75,000. The County has paid \$51,779.97 in medical expenses and \$49,799.03 in lost wage benefits, for a total lien of \$101,579. The County is estopped from asserting a lien against the first \$50,000 of M.N.'s settlement proceeds because she was injured in a car accident. Therefore, the County's net lien is \$51,579. Because M.N.'s net recovery is less than the County's existing lien, the County wants to assume the entire cost of litigation (\$25,881.58) and accept \$25,697.42 in satisfaction of its present lien. After the County is reimbursed and legal fees and litigation expenses paid, M.N. would receive \$23,241.

With a motion by Legislator Burrows, seconded by Legislator Covill, the item was approved with a vote of 3 - 0.

**RESULT: SIGNED BY COMMITTEE**

2. **ACT-2019-98 Act – Enter into Agreement - Board of Ethics:**

AN ACT authorizing the County to enter into an agreement with Steven G. Leventhal to serve as both independent consultant and special counsel to the Westchester County Board of Ethics for a three (3) year term commencing on August 1, 2019 and continuing through July 31, 2022 for an amount not-to-exceed ONE HUNDRED FIFTY THOUSAND (\$150,000) DOLLARS.

County Attorney John Nonna and Assistant County Attorney Justin Adin advised that the County wants to extend its contract with Steven Leventhal to serve as both independent consultant and special counsel to the Westchester County Board of Ethics for a three-year term from August 1, 2019 through July 31, 2022, for an amount not-to-exceed \$150,000. Mr. Leventhal will continue to charge the same rate of \$250 per hour. He has served as independent consultant since the position was created. His role was expanded last year to provide special counsel services as well.

Mr. Nonna advised that there is currently one vacancy on the Board of Ethics for a Republican member.

Legislator Williams asked if the Board is geographically diverse, and Mr. Nonna advised that it is not, but there is no requirement for that.

With a motion by Legislator Burrows, seconded by Legislator Covill, the item was approved with a vote of 3 - 0.

**RESULT: SIGNED BY COMMITTEE**

## II. OTHER BUSINESS

Mr. Nonna discussed cases concerning Liberty Lines and the County jail that had been dismissed or decided in the County's favor.

## III. RECEIVE & FILE

## ADJOURNMENT

With a motion by Legislator Covill, seconded by Legislator Burrows, the committee adjourned at 9:01 a.m.