

Department of Law
Office of the County Attorney

2016 Budget Presentation

Robert F. Meehan
County Attorney

Robert P. Astorino
County Executive

Michael Kaplowitz, Chair
Board of Legislators

Mission Statement

The mission of the Department of Law, Office of the County Attorney, is to respond effectively to the needs of County officers, boards, departments and agencies, regarding legal counsel and representation. The County Attorney is charged by law to serve as legal counsel to the County Executive, the Board of Legislators, and to the County and all of its constituent departments, agencies and boards. The mission of the County Attorney is achieved in a variety of ways, including: the rendering of legal advice to County officials and employees in order to assist them on various projects the County is undertaking or contemplating undertaking; the preparation and review of legal documents; the drafting of legislation; the rendering of legal opinions, and the advocacy of the County's interests in trial and appellate courts, including special administrative proceedings. In providing legal services to the County, the Office of the County Attorney endeavors to reduce actual and potential future liabilities and financial exposure of the County and to maximize receipts of monetary sums to which the County may be entitled. The Office of the County Attorney seeks to assure that the County workplaces are free of discrimination and harassment and that County contracts and business opportunities are awarded fairly and openly, with women and minorities having equal access.

In addition the Office of the County Attorney seeks to protect the interests of children, disadvantaged adults, and society from domestic violence and abuse. Our Family Court Bureau acts to safeguard children from acts of abuse and neglect and to establish and collect child support from legally responsible parents. The Office of the County Attorney presents cases of juvenile delinquency to the Family Court in order to protect the public from dangerous juveniles and to rehabilitate juveniles in order to assist them in growing into productive members of society.



Tax Levy

Currently, the Law Department's approved Adopted budget for 2015 is \$10,930,336. The 2016 Law Department Budget proposes an expense budget of \$10,944,350, which is an increase of \$14,014 over the 2015 Adopted Budget. Our 2016 Budget proposes a negative tax levy of (-3,523,358).

Expenditures

Annual Regular (1010)

The 2016 Requested is a \$417,012 decrease from our 2015 Adopted Budget. This includes seven fewer positions.

Overtime (1400)

The 2016 Requested is \$500 which is the same as our 2015 Adopted Budget. This amount is based upon work performed by support staff on Election Day and the day after Thanksgiving, which are days the Law Department is required to work despite the County Offices being closed.

Replacement Equipment (2300)

The 2016 Requested is \$24,100 greater than our 2015 Adopted Budget due to the cost of McKinney's books.

Printing & Office Supplies (3600)

The 2016 Requested is the same as our 2015 Adopted.

Postage Cost (3700)

The 2016 Requested is a decrease of \$5,000 from our 2015 Adopted Budget.

Equipment Service & Rental (4070)

The 2016 Requested is a decrease of \$36,700 from our 2015 Adopted Budget

Membership Fees (4100)

The 2016 Requested is the same as our 2015 Adopted Budget.

Travel & Meals (4110)

The 2016 Requested is the same as our 2015 Adopted Budget.

Telephone Expense (4160)

The 2016 Requested is a decrease of \$600.00 from our 2014 Adopted Budget.

OSHA Safety Program (4225)

The 2016 Requested is the same as our 2015 Adopted Budget.

Educational Training (4360)

The 2016 Requested is the same as our 2015 Adopted Budget.

Technical Services (4420)

The 2016 Requested is the same as our 2015 Adopted Budget. This expense includes the cost of the Labor Negotiator and Arbitrators. The breakdown of arbitration cases is as follows: 80% of our arbitration fees are attributable to contract grievance and disciplinary arbitrations held with COBA and its members (the other fifteen percent is attributable to SOA, PBA and CSEA contract grievances). In the cases of SOA, PBA and CSEA, the costs of the hearings are evenly split between the respective union and the County. In the case of COBA, the fees are split up to the point where the union has expended \$20,000 on arbitration fees in any given year. Once that threshold is met, the County assumes 100% of the costs for the remainder of that year.

Litigation (4923)

The 2016 Requested of \$818,000 is \$500,000 greater than the 2015 Adopted Budget.

Interdepartmental Charges

The 2016 Requested Budget is a decrease of t \$51,322 from the 2015 Adopted Budget. This is due largely to the reduction of IT charges.

Revenue

The Law Department's hourly rate charged to all County departments for law services for the current year is \$150.00. The calculated rate for 2016 budget is \$154.00. This hourly rate represents all billable hours produced by our Assistant, Senior and Associate County Attorneys, however it excludes all hours produced by the Assistant Chief Deputy County Attorneys, Chief Deputy County Attorney and County Attorney.

Interdepartmental Revenue (9508)

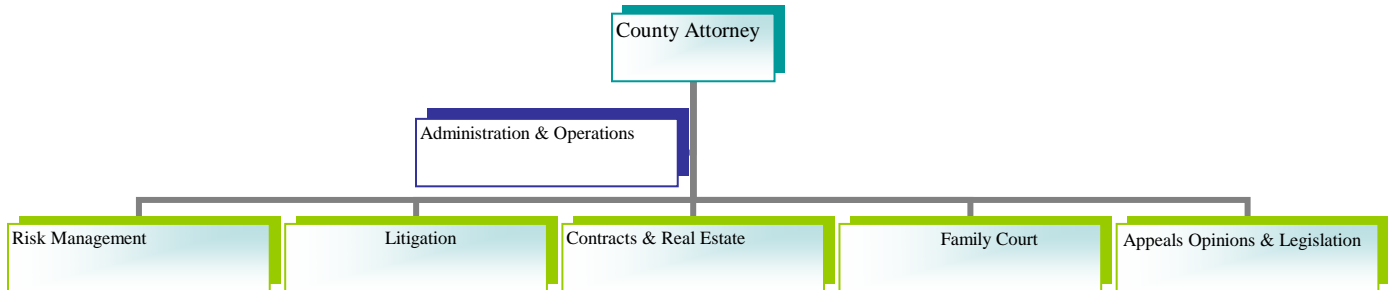
The 2016 allowed figure for Interdepartmental revenue for the Law Department is \$10,810,492. This represents an increase of approximately \$469,492 over 2015 estimates.

Departmental Revenue

The 2016 allowed revenue figure for Departmental revenue is \$2,874,102. This is an increase of \$44,202 from 2015 estimates due to a decrease in the hourly rate to Risk Management, Environmental Facilities and Westchester Community College.

Introduction

The structure of the Law Department reflects the constant striving to fulfill its duties and responsibilities in the most efficient and responsible manner possible. The Law Department is divided into four bureaus, each of which is focused on the different components of the “Operation of the Law Department”. In addition to the four Bureaus, the Department is responsible for the Office of Risk Management, which evaluates and reviews the County’s risk exposure. The organization of the Department is summarized in the following chart:

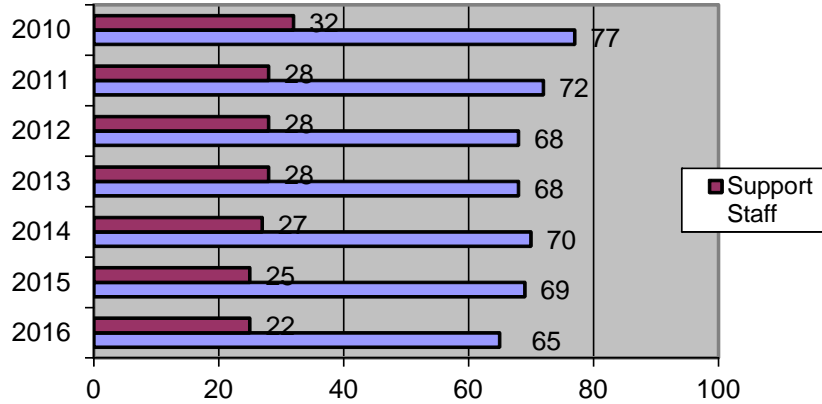


The Department of Law occupies approximately 23,000 square feet of space, utilizing the entire sixth floor and a portion of the second and seventh floors of the Michaelian Office Building. The Department is in proximity to the County Executive’s Office, the Board of Legislators, the Federal and County Court House Buildings, the District Attorney’s Office and many of the other County Departments that it serves.

The Law Department’s overall staffing level for 2016 has decreased for a total of 87 personnel. This number represents the number of authorized positions. The composition of the County Attorney’s office is shown below.

The Law Department staff consists of the following positions (including Risk Management):

Law Department Staffing Levels



| Title | Number of Positions |
|--|---------------------|
| County Attorney | 1 |
| Chief Deputy County Attorney | 1 |
| Assistant Chief Deputy County Attorney | 3 |
| Director of Risk Management | 1 |
| Associate County Attorney | 6 |
| Senior Assistant County Attorney | 17 |
| Assistant County Attorney | 37 |
| Special Assistant to the County Attorney | 1 |
| Senior Risk Management Analyst | 1 |
| Risk Management Analyst | 1 |
| Executive Secretary to the County Attorney | 1 |
| Program Specialist (Law) | 0 |
| Paralegal | 3 |
| Sr. File Clerk | 1 |
| Office Asst. Word Processing | 1 |
| Staff Assistant (Risk Management) | 1 |
| Legal Secretary II | 3 |
| Legal Secretary I | 6 |
| Docket and File Clerk | 1 |
| Receptionist | 1 |
| Total | 87 |

Administration

| | |
|--|----------|
| County Attorney | 1 |
| Special Assistant to County Attorney | 1 |
| Executive Secretary to County Attorney | 1 |
| Receptionist | 1 |
| <hr/> | |
| | 4 |

Appeals, Opinions

| | |
|-------------------------------|----------|
| Chief Deputy County Attorney | 1 |
| Associate County Attorney | 1 |
| Sr. Assistant County Attorney | 2 |
| Assistant County Attorney | 0 |
| Legal Secretary II | 0 |
| <hr/> | |
| | 4 |

Family Court Bureau

| | |
|-----------------------------------|-----------|
| Asst Chief Deputy County Attorney | 1 |
| Associate County Attorney | 2 |
| Sr. Assistant County Attorney | 7 |
| Assistant County Attorney | 21 |
| Docket and File Clerk | 1 |
| Legal Secretary II | 2 |
| Sr. information System Clerk | 1 |
| Legal Secretary I | 2 |
| Office Assistant Word Processing | 1 |
| <hr/> | |
| | 38 |

Litigation Bureau

| | |
|-----------------------------------|-----------|
| Asst Chief Deputy County Attorney | 1 |
| Associate County Attorney | 2 |
| Sr. Assistant County Attorney | 7 |
| Assistant county Attorney | 10 |
| Paralegal | 2 |
| Legal Secretary II | 1 |
| Legal Secretary I | 3 |
| <hr/> | |
| | 25 |

Contracts Bureau

| | |
|-----------------------------------|-----------|
| Asst Chief Deputy County Attorney | 1 |
| Associate County Attorney | 1 |
| Sr. Assistant County Attorney | 2 |
| Assistant County Attorney | 6 |
| Legal Secretary II | 0 |
| Legal Secretary I | 1 |
| <hr/> | |
| | 12 |

Risk Management

| | |
|-----------------------------------|----------|
| Director of Risk Management | 1 |
| Sr. Risk Management Analyst | 1 |
| Risk Management Analyst | 1 |
| Staff Assistant (Risk Management) | 1 |
| <hr/> | |
| | 4 |

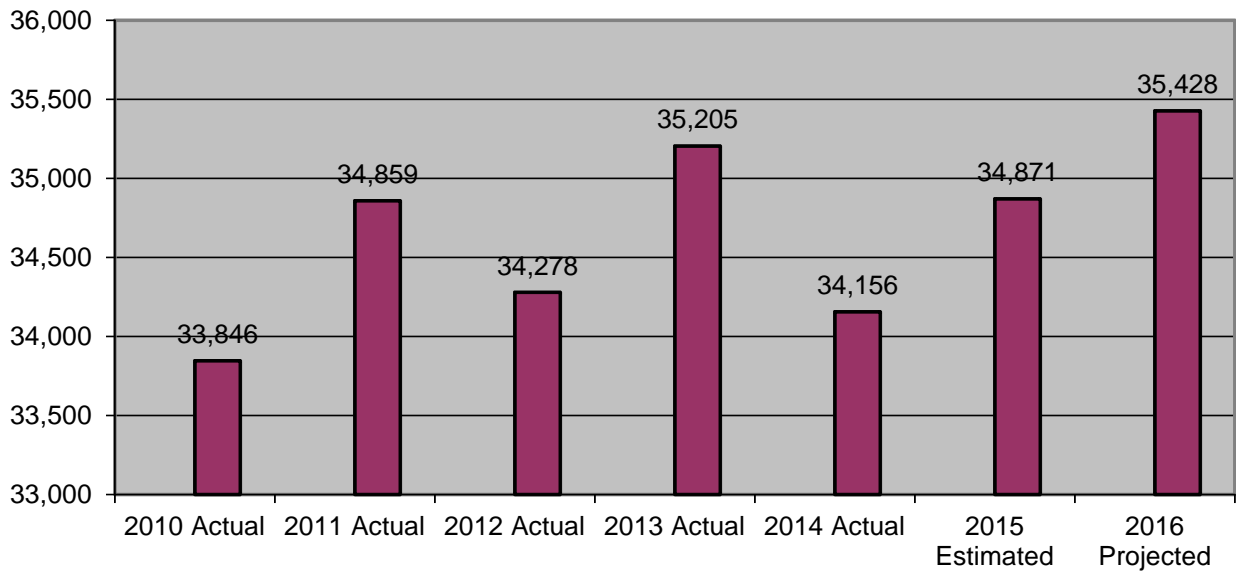
Pursuant to Chapter 158 of the Laws of Westchester County, only the County Attorney and his staff are authorized to provide legal services to the County and its Departments.

While the Law Department Budget has been a partner in reducing its burden on the tax levy, it continues to provide all essential legal services. Very often, the most complicated matters are also the most time sensitive. Managing these matters requires maximum effort and commitment by staff, so that even as cases have risen and their complexity increased, all the necessary services have been provided. The results of these efforts show in the number of notable successes achieved thus far in 2015 by the Office of the County Attorney.

Revenues

The increase in case levels is evident in all bureaus and involves all legally mandated services, including but not limited to family court proceedings, litigation defense of the County, legislation, contract preparation and review, appeals and advisory opinions.

Number of Cases



Breakdown of Cases by Bureau

| <i>Bureau</i> | <i>2013 Actual</i> | <i>2014 Actual</i> | <i>2015 Estimated</i> | <i>2016 Projected</i> |
|--------------------|--------------------|--------------------|-----------------------|-----------------------|
| Litigation | 3,898 | 3,774 | 3,886 | 3,998 |
| Appeals | 1,770 | 1,740 | 1,850 | 1,900 |
| Contracts | 11,250 | 10,926 | 11,035 | 11,145 |
| Family | 18,107 | 17,715 | 17,955 | 18,305 |
| Grand Total | 35,205 | 34,156 | 34,871 | 35,428 |

The Law Department generates two separate revenue streams:

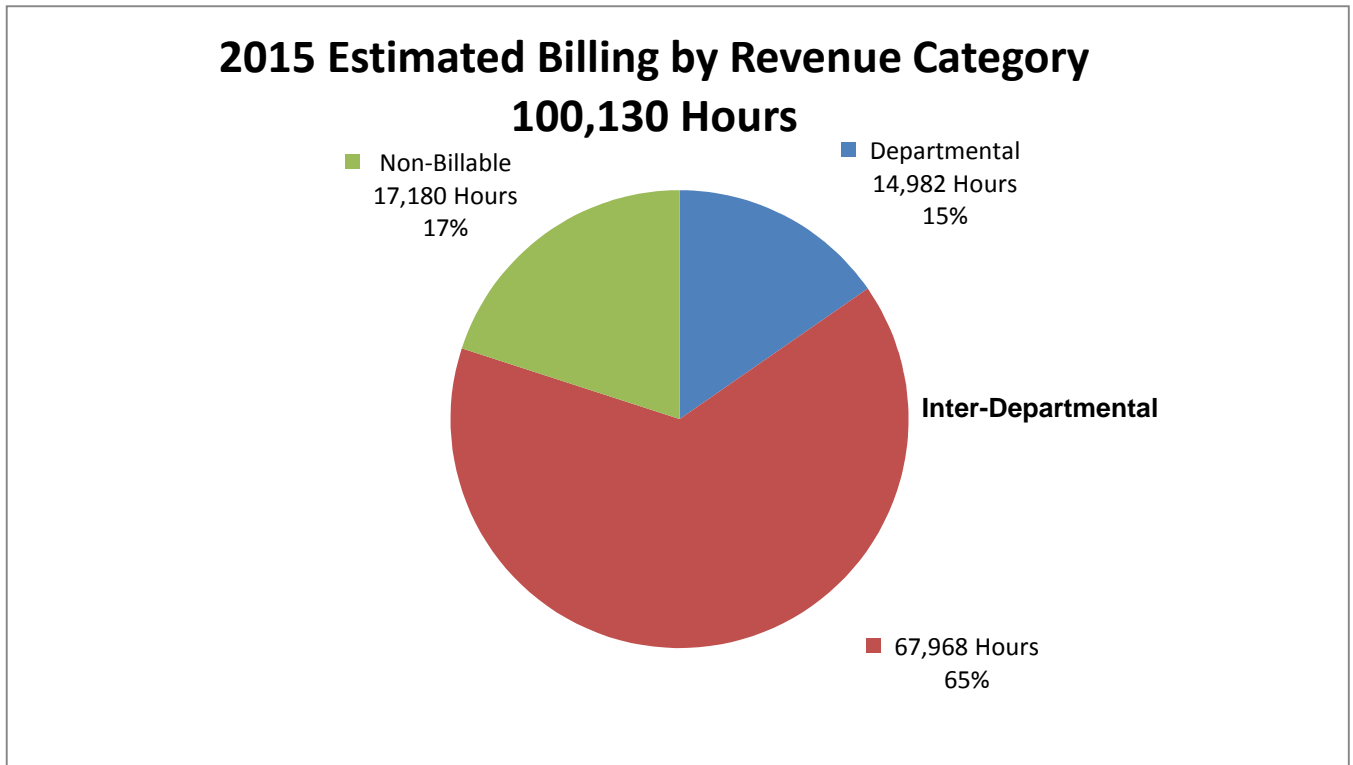
- Departmental revenues are generated through charges billed to other funds including the 6-N Fund, Sewer, Water, and Refuse Disposal District Funds and the Westchester Community College Fund. This billing is generated as a result of legal services that are provided by the Law Department to these entities.

- Inter-Departmental revenues are received from County departments for which the Law Department performs essential legal services. Departments included in this revenue stream include the following: Public Works, Human Resources, Public Safety Services, Parks and Recreation, Planning, County Clerk, Department of Social Services, Community Mental Health, the Budget Department, Finance, the Department of Health, Information Technologies, Probation, Corrections, Transportation, etc.

These billing charges are based on the number of hours that each attorney spends providing legal advice, research or services for each of these Departments on various matters. Charges are based on hourly rates derived from the Law Department's operating costs and these rates are established each year in conjunction with the Budget Office when the County's Budget is prepared. The hourly rate is based on the Law Department's direct and indirect costs, while it excludes the usual and customary expenses incurred in representing our clients in such accounts as contractual services, technical services and litigation. The hourly rate for the current 2015 fiscal year is \$150.00 per hour.

The reason that billable hours are used both with cases handled by this Department and outside counsel is one of accountability and fiscal responsibility. The department being represented is then charged with monitoring their use of attorney's time much like private practice. It has also allowed the Law Department to clearly track the hours attorneys spend on various legal matters. In short, it is a system of checks and balances for legal work of the County.

Breakdown by Revenue Category

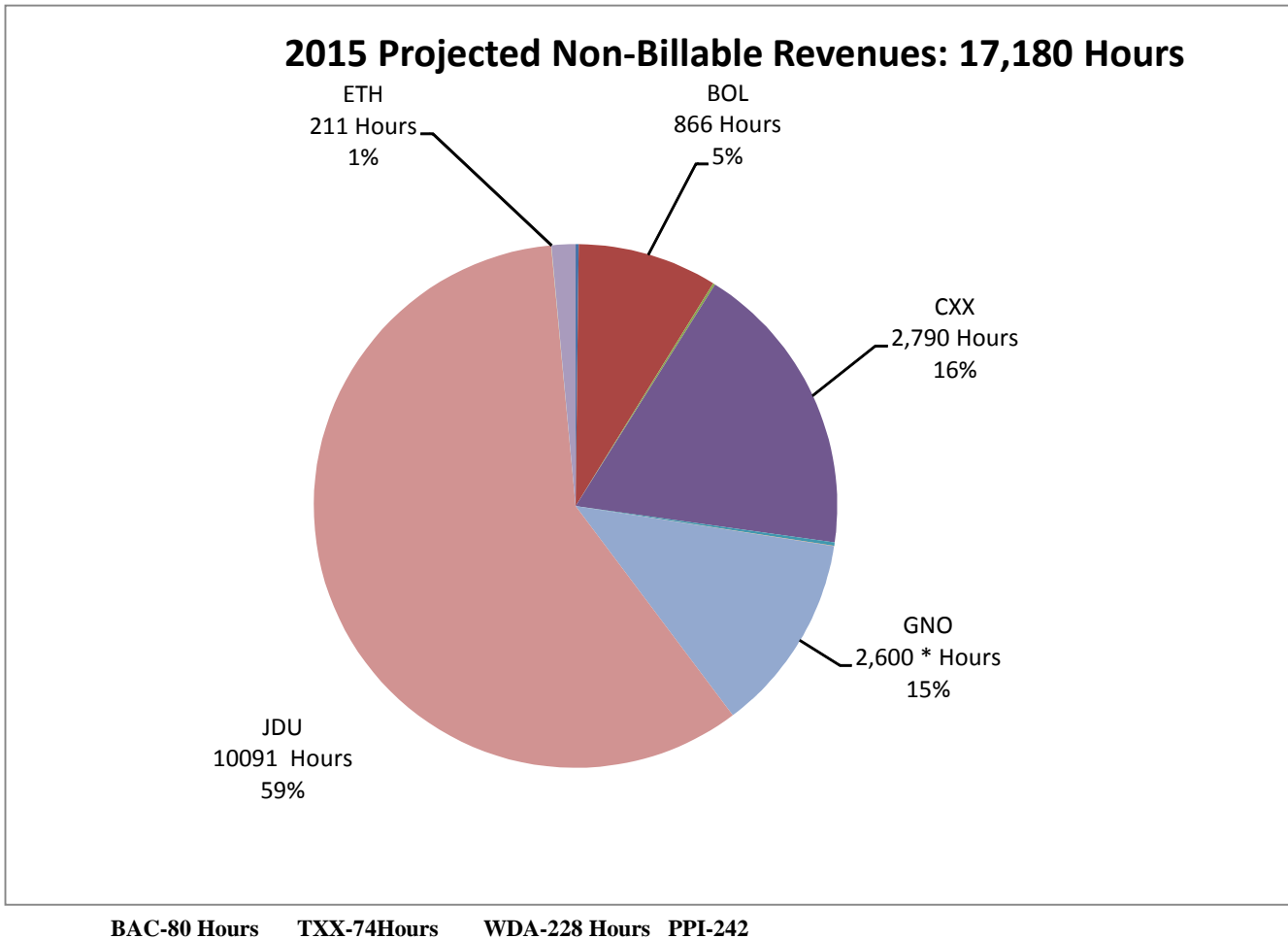


As indicated by the above chart approximately 17% of the Law Department service hours are not billable. This equates to approximately 17,180 hours of client services. This includes services provided to elected officials including the offices of the County Executive, the Board of Legislators and the District Attorney as well as statutorily mandated juvenile delinquency prosecutions. The County Attorney and the Deputies in charge of each bureau do not bill for direct client services or supervision, nor are their hours included in these figures. Notwithstanding the fact that the Deputy County Attorneys do not bill for their time, they are primarily responsible for providing legal advice directly to the Board of Legislators. The Assistant Chief Deputy County Attorney in charge of the Litigation Bureau appears before the Board's Committee on Budget and Appropriations on a regular basis with regard to case settlements, requests to initiate litigation and other various legal matters that require Board of Legislator approval. The Deputy County Attorney in charge of the Contracts and Real Estate Bureau frequently appears before various Board Committees with respect to contractual, affordable housing and energy issues. The County Attorney or his designee attends all of the regular and special meetings of the Board of Legislator and attends, as requested, various Board Committee meetings with regard to proposed legislation or other matters. Non-billable services also include all attorney time billed directly to the Law Department.

The vast majority of the Law Department's revenue that is billable comes from Inter-Departmental billing, which comprises 68% of the attorneys' work time or approximately 67,968 hours for the 2015 fiscal year.

The second largest source of revenue for the Law Department is Departmental billing. Billing to Environmental Facilities, Public Utility Agency, Risk Management, Westchester Community College, and the Division of Solid Waste billing is considered Departmental billing. Each of these Departments contains their own separate funds and therefore their billing is maintained in a separate revenue stream than the Inter- Departmental billing. We estimate that the attorneys will spend approximately 14,982 hours on Departmental matters for the 2015 fiscal year or 15%.

The breakdown of non-billable services is detailed in the chart below:



*These figures exclude the approx. 32 days on average that each attorney submits for leave (annual, personal, sick, extended leave, and County Holidays).

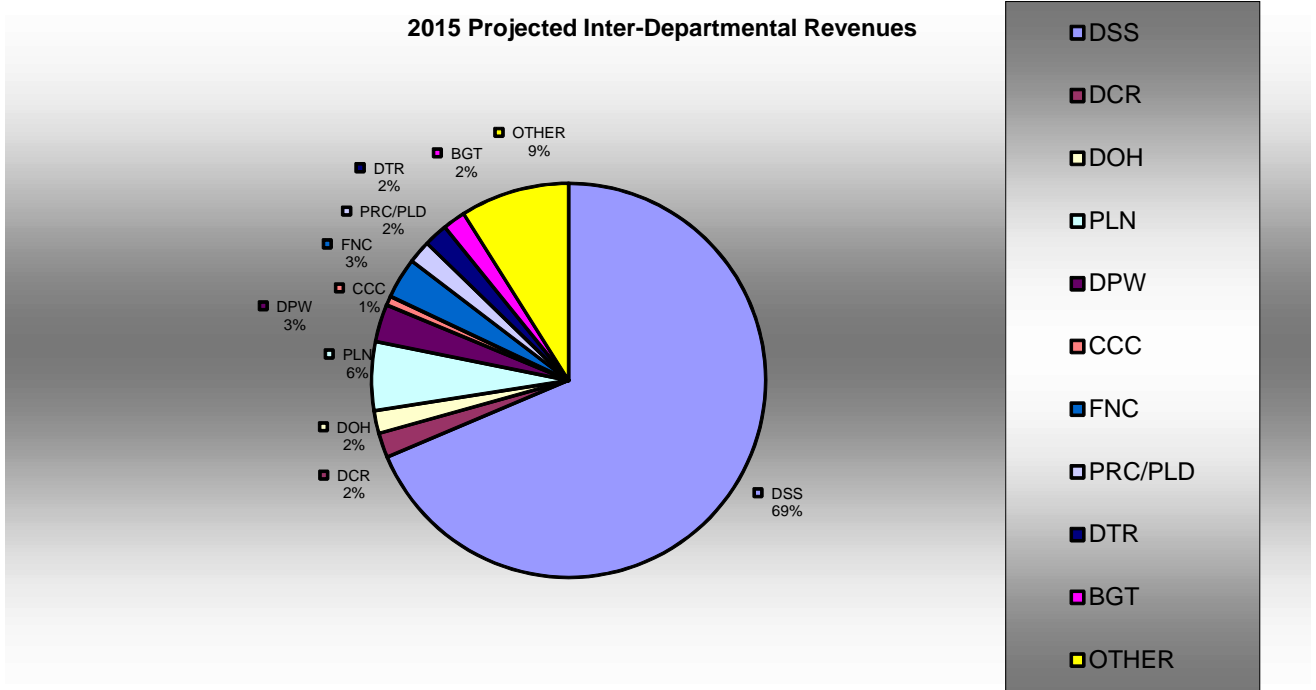
Please be advised that this number represents only the work performed for the BOL by attorneys required to bill for their time. This number does not include the hours devoted to BOL work handled by the Assistant Chief Deputy County Attorneys, the Chief Deputy County Attorney and the County Attorney who do not bill for their time. Since a good portion of the work for the BOL is carried out by the top management of the Law Department, including the estimated time of the Deputies and County

Attorney in the calculation would increase the non-billable hours for the BOL from 5% to approximately 19% of the total number of non-billable revenue.

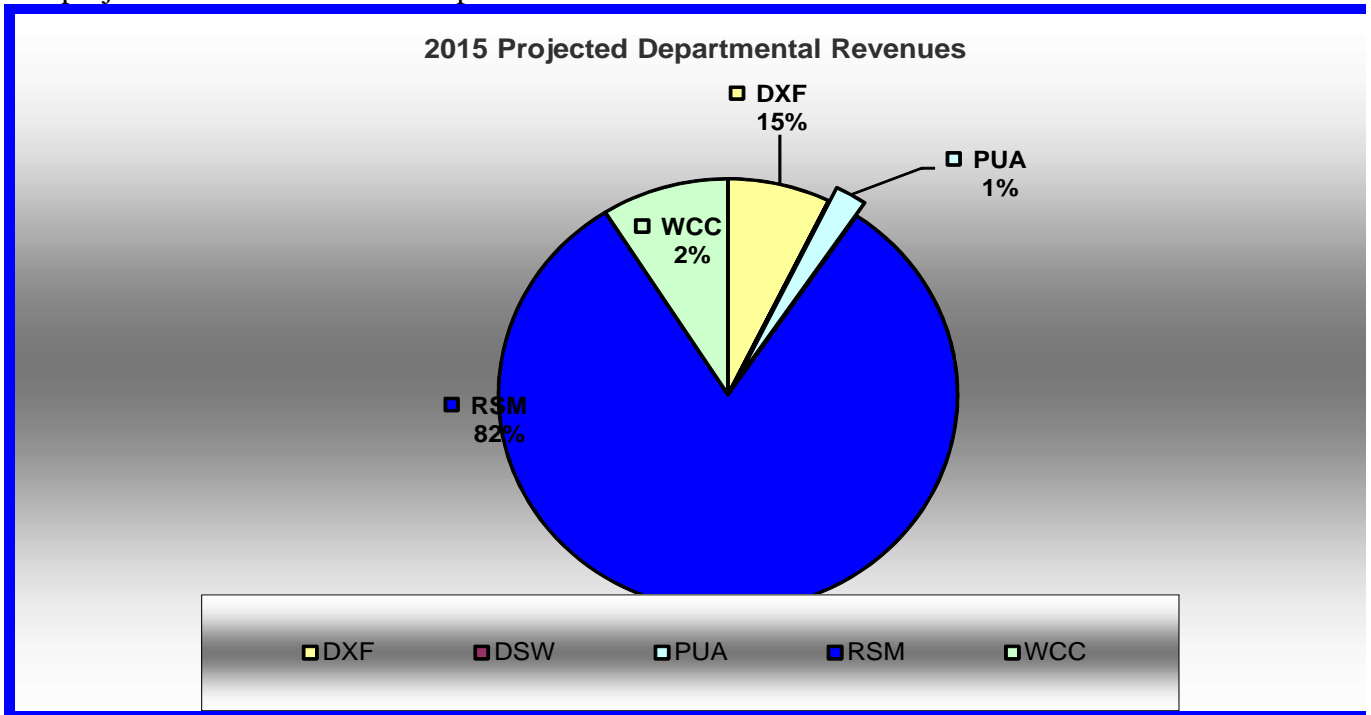
For the fiscal year that will end December 31, 2015 the Law Department is projecting to provide approximately 82,950 hours of billable client services, yielding over \$12,442,500 from both revenue streams: Inter- Departmental and Departmental. If the number of hours for non-billable services is included, then the number of hours for the year increases to approximately 100,130 hours

Moreover in 2016, in addition to the usual workload, including that reflected in the highlights of law department accomplishments for 2015 which follow herein, we anticipate performing extensive legal work related to: implementation of the terms of the ADC stipulation including legislation and potential litigation as necessary and appropriate.

The projected Inter-Departmental breakdown of revenue for 2015 is charted below.



The projected breakdown of the Departmental revenues for 2015 is shown below:



Risk Management’s departmental revenue is derived from reimbursement from the 6-N fund for expenses associated with the investigation and claims management of general, automobile, public officials and medical malpractice liability claims. Staff time is allocable to this function in addition to other indirect costs.

Risk Management Quantitative Indicator’s

| | 2014 Actual | 2015 Estimated | 2016 Projected |
|----------------------------|--------------------|-----------------------|-----------------------|
| General Liability | 177 | 195 | 175 |
| Automobile Liability | 46 | 52 | 48 |
| Medical Malpractice * | 13 | 20 | 20 |
| Medical Malpractice WMC | 11 | 5 | 10 |
| Third Party Recoveries | \$291,000 | \$300,000 | \$300,000 |
| Driver Abstracts Reviewed | 4,800 | 4,600 | 4,600 |
| Contracts Reviewed | 4,168 | 4,150 | 4,150 |
| Safety Related Meetings ** | 165 | 160 | 160 |

*These are Medical Malpractice claims by inmates against our correctional health services.

** Asbestos Training, Fire Warden Training, Respiratory Protection Training.

The following is a sample of matters handled by the Law Department

Appeals, Opinions and Legislation Bureau

Appeals

The Appeals, Opinions and Legislation Bureau defends and prosecutes all civil appellate litigation on behalf of the county, its departments, boards, commissions, agencies, officers and employees, acting their official capacities. The appeals are heard in state and federal courts. In addition to numerous Family Court Appeals prosecuted by the Bureau, below are representative examples of recent Appeals.

Name of Accomplishment: Westchester v. U.S. Dep't of Housing & Urban Dev.

When Initiated: 2013

Current Status: Completed

Description: The County initiated a federal lawsuit to seek recovery of millions of dollars in community planning development funds that the U.S. Dep't of Housing & Urban Development had withheld. The district court dismissed the action for lack of subject matter jurisdiction, and the County appealed to the Second Circuit Court of Appeals. The matter was fully briefed, oral argument has been conducted, and the Second Circuit reversed the district court's order.

Name of Accomplishment: Cetina v. Westchester

When Initiated: 2012

Current Status: Completed

Description: Mr. Cetina, a Lieutenant with the Department of Public Safety, commenced this federal action seeking millions of dollars damages. The district court dismissed the action in its entirety, and Mr. Cetina appealed to the Second Circuit Court of Appeals. The matter was fully briefed, oral argument was conducted, and the dismissal was affirmed on September 30, 2014. Mr. Cetina then filed a petition for a writ of certiorari with the United State Supreme Court. The County successfully defended that petition.

Name of Accomplishment: Hoffman Investors Corp. v. Ruderman, et al.

When Initiated: 2012

Current Status: Decided

Description: Petitioners in this action were found by the Westchester County Human Rights Commission to have violated the Westchester County Fair Housing Law by discriminating against minority applicants. Petitioners commenced an Article 78 proceeding, challenging both the evidentiary basis of the decision and whether the Westchester County Board of Legislators had the authority to create the Human Rights Commission. The Supreme Court transferred the case to the Appellate Division. The Appellate Division upheld the determination of the Human Rights Commission, and denied the Article 78 proceeding. Petitioners have subsequently paid approximately \$38,000 to Westchester Residential Opportunities (~\$24,000) and the HRC (~14,000) for the underlying penalties imposed by the Commission, with interest.

Name of Accomplishment: McLaughlin v. Hankin, et al.

When Initiated: 2012

Current Status: Decided

Description: Petitioner, a former counselor at the Westchester Community College, initiated an Article 78 proceeding challenging her denial of tenure and subsequent termination. Following a hearing, the Supreme Court found that WCC violated the applicable collective bargaining agreement and that Petitioner was entitled to reinstatement and tenure. WCC appealed. The Appellate Division reversed and dismissed the underlying petition, finding that Petitioner did not adequately plead her case.

Name of Accomplishment: Westchester County Correction Superior Officers Ass'n
v. County

When Initiated: 2010

Current Status: Decided

Description: The Westchester County Correction Superior Officers Association brought this action seeking Workers' Compensation equivalent benefits for correction superior officers claiming permanent partial disability resulting from employment with the County. A motion for summary judgment was granted in favor of the County, finding that SOA has failed to state a cause of action. SOA has appealed from this decision, and the County cross-appealed from a denial of its motion to dismiss in the action. The Appellate Division affirmed the granting of summary judgment in favor of the County.

Opinions

The Bureau provides legal advisory opinions to county officers and officials. The County Attorney also decides appeals under the Freedom of Information Law Appeals from decisions of other county departments and agencies, regarding access to their records.

Legislation

Pursuant to the Laws of Westchester County, the County Board of Legislators has the power to act by Local Law, Act or Resolution. In addition, the County Board of Legislators may request that the New York State Legislature pass state legislation granting the county certain specific powers that it would not otherwise possess under New York State law.

The Appeals Bureau is responsible for reviewing and drafting certain pieces of local and New York State legislation for the County Executive and the County Board of Legislators as may be appropriate under the circumstances. Each request for legislation is initially reviewed for legality, including such issues as whether such legislation would be preempted by state or federal law, whether such legislation requires a mandatory or permissive referendum prior to becoming effective and whether such legislation is subject to SEQRA review. Moreover, assuming legislation is legally appropriate, a committee report including the intent of the law or act, a transmittal letter and a resolution for a public hearing, accompanying all local laws, is also prepared.

Prevention & Training Programs:

Ongoing Initiative Workplace Violence Prevention Program

Description: In a joint effort with Human Resources, Public Safety and Public Works, the Law Department participates in the ongoing development, implementation and monitoring of the County's Workplace Violence Prevention Program. Through the Workplace Violence Prevention Committee, reports and occurrences of workplace violence are monitored and reviewed, and appropriate recommendations made therefrom, in order to track and reduce the occurrence of workplace violence in the County.

Conducting Freedom of Information Law ("FOIL") Training for County Employees

When Initiated: 2004

Current Status: Presentations available upon e-mail request.

Dollars Saved: The dollars that have been saved as a result of this ongoing initiative cannot be calculated by a special dollar figure. Nevertheless, the absence of, or decrease in, the amount of legal opinions and/or lawsuits which may result from errors in responding to requests for release of information certainly results in a cost savings to the County.

Description: This presentation, to be provided by members of the Law Department, will contain information, including the most recent updates to the Freedom on Information Law and general guidance to County officers and employees who are designated to be the FOIL officers of their particular County department, in accordance with the New York State Public Officers Law and the Laws of Westchester County. The objective of these seminars is to educate County employees on various FOIL issues and procedures.

Contracts Bureau

Name of Accomplishment: Development of Affordable Units that Affirmatively Further Fair Housing in accordance with County Policy and the Housing Settlement.

When Initiated: 1990s

Current Status: Ongoing

Description: Providing various legal services, including but not limited to: assistance in closings, participate in conference calls, legal advice, drafting documents such as those necessary to enable a Declaration of Restrictive Covenants to be filed against the property, negotiation services and legislation in connection with the use of funds from the following capital projects BPL10 - New Homes Land Act (“NHLA”), BLA01 - Housing Implementation Fund (“HIF”) and BPL50 Fair and Affordable Housing (“AFFH”), as well as Community Development Block Grant (“CDBG”) funds and grants from the New York State Affordable Housing Corporation (“AHC”) in support of the following projects:

- 580 Bedford Road, Pleasantville: 1 homeownership unit;
- 72 Croton Avenue, Cortlandt: 1 homeownership unit and 1 rental unit;
- Theodore Fremd, Rye: 41 rental units;
- Saw Mill Lofts, Hastings-on-Hudson: 12 rental units;
- Somers Avalon, Somers: 10 rental units;
- 52 Washington Avenue, Hastings-on-Hudson: 3 units;
- Harrison Avalon, Harrison: 10 units;
- 150 Lake Street, White Plains: 67 rental units;
- 29 South Ridge Rd, Rye Brook: 8 units;
- 229 King Street, New Castle: 1 ownership unit;
- Chappaqua Crossing, New Castle: Purchase of and condo construction funding for 1 floor of the old Reader’s Digest Bldg.;
- Hunts Place, Chappaqua - 36 affordable AFFH rental units;
- Freedom Gardens, Yorktown: 1 rental unit;
- 300 King St., Chappaqua: 2 AFFH homeownership units;
- 100 Cedar St, Dobbs Ferry: 1 AFFH homeownership unit;
- 25 Oak Road, Montrose (Town of Cortlandt) : 1 AFFH homeownership unit;
- 208 Harris Road, Unit DA5, Bedford Hills: 1 homeownership unit;
- 491 Franklin Street, Rye Brook: 1 homeownership unit;
- 20 Oregon Avenue, Unit B, Eastchester: 1 homeownership unit;
- 258 Saw Mill River Road, Millwood (Town of New Castle) : 1 homeownership unit;
- 208 Harris Road, Bedford Hills (Unit HA6) : 1 homeownership unit;
- 70 West St, Unit A-17, Harrison: 1 homeownership unit;
- 60 Oregon Avenue, Eastchester: 1 homeownership unit;
- 240 Halstead Avenue, Unit C-4, Harrison: 1 homeownership unit;
- 106 Lake Kitchawan, Lewisboro: 1 homeownership unit;
- 101 Nottingham, Unit BB, Bedford: 1 homeownership unit;
- 11 Westview Avenue, North Salem: 1 homeownership unit;
- 19 Park Avenue, Goldens Bridge, Town of Lewisboro: 1 homeownership unit, 1 rental unit;
- 1680 Strawberry Road, Unit 5, Yorktown: 1 rental unit;
- 69 Ravensdale, Hastings-on-Hudson: 2 homeownership units, 2 rental units;

- Hidden Meadow at Somers (16 Route 6, Somers); 8 homeownership units, 8 rental units;
- 19 Park Avenue, Lewisboro: 1 homeownership unit, 1 rental unit;
- 10 Byron Place (the Cambium Condominium) 147-175 Railroad Avenue, Town of Mamaroneck; 10 homeownership units;
- 147 – 175 Railroad Avenue, Bedford; 12 rental units;
- 125-129 S. Fifth Avenue, Mount Vernon – 66 affordable rental units
- 22 Old Route 22, Armonk – 10 affordable AFFH ownership units
- 101 Washington Avenue, Pleasantville - 1 affordable AFFH rental unit
- 176 Henry Street, Buchanan - 1 affordable AFFH ownership unit
- 80 Bowman Avenue, Rye Brook – 16 affordable AFFH ownership units

Housing Action Council, Inc. (“HAC”): Agreement with HAC to act as County agent with Affordable Housing Purchases

When Initiated: 2015

Current Status: Ongoing

Description: Providing legal advice, counsel, legal research and drafting services in connection with the procurement of an agreement to provide pre-closing document review and post-closing property management and marketing services in connection with the County’s purchase of various condominium units and multi-family homes in order to comply with the Settlement Agreement and to create affordable housing units.

Name of Accomplishment: Financial and Banking Agreements

When Initiated: N/A

Current Status: Ongoing

Description: Providing legal advice, counsel, legal research, and drafting services to the Department of Finance in connection with the procurement and contracting with various banking and financial services on behalf of the County, including but not limited to deposit agreements, collateral agreements, ATM placement agreements, tri-party agreements and bank card agreements.

Name of Accomplishment: Updates to the County Investment Policy

When Initiated: N/A

Current Status: Ongoing

Description: Providing legal advice, counsel, legal research, and drafting services to the Department of Finance in connection with the periodic revisions and updates of the County’s Investment Policy, including but not limited the preparation of .

Name of Accomplishment: Neighborhood Stabilization (NSP) Program

When Initiated: 2009

Current Status: Ongoing

Description: Providing legal advice and counsel to the Planning Department with regard to the drafting of agreements between 1) the County and the State, and 2) the County and contractors in connection with the NSP affordable housing program, including 200 plus units located in, among others, the municipalities of Yonkers, New Rochelle and Mount Vernon.

Name of Accomplishment: Biological Nutrient Removal (“BNR”)

When Initiated: 2008

Current Status: Ongoing

Description: Assisting the County Executive’s Office and Department of Environmental Facilities with respect on-going compliance with the Order on Consent concerning the County’s wastewater treatment plants that discharge into the Long Island Sound with the New York State Department of Environmental Conservation, as amended’ including but not limited to:

Preparation of intermunicipal agreements and legislation for same in connection with a new Order on Consent between the County and the New York State Department of Environmental Conservation to settle administrative claims concerning alleged violations of the State Pollutant Discharge Elimination Permit for the New Rochelle WasteWater Treatment Plant.

Preparation of proposed intermunicipal agreements between the County and the non-New Rochelle WWTP municipalities concerning alleged violations of the County Sewer Act (“Sewer Act”) in connection with effluent restrictions contained in the Sewer Act to comply with the Order on Consent and County SPDES permits’ conditions.

Name of Accomplishment: County Water Districts No. 1 & No. 3 Major Projects

When Initiated: 2007

Current Status: Ongoing

Description: The Law Department continues to the assist the Department of Environmental Facilities in connection with numerous water improvement projects including:

“WD103-Alternate Water Supply” (“WD103”): Prepared and submitted several sets of legislation to the Board of Legislators at the request of the Department of Environmental Facilities to aid the County in its compliance with the Long Term 2 Enhanced Surface Water Treatment Rule (“LT2”) as mandated by the Environmental Protection Agency (the “EPA”). A Consent Decree was filed on September 2, 2015 between the County and the EPA in connection with a federal lawsuit with respect to County compliance with LT2.

On October 6, 2014, the Board of Legislators passed legislation approving capital project WD103 and authorizing the Chairman of the Board of Legislators to submit an application to the New York State Comptroller’s Office seeking approval of the project pursuant to Section 268 of Article 5-A of the New York County Law. The Contracts Bureau prepared and submitted the extensive application to the State Comptroller and the Comptroller issued an Order approving the application. . Two sets of bonding legislation were submitted to the Board of Legislators in connection with WD103.

Provide assistance to the Department of Environmental Facilities in the procurement process to carry out WD103.

Name of Accomplishment: County Water Districts Miscellaneous Projects

When Initiated: 2007

Current Status: Ongoing

Description: Assist the Department of Environmental Facilities in connection with numerous miscellaneous projects including preparation of legislation for capital project WD309-Water Storage Facilities & Maintenance, New Castle Flow Monitoring Permit, capital project WD001-Eastview

Distribution Chamber, Non-Disclosure Agreements, and Water Demand Management Planning Agreement with New York City Department of Environmental Protection.

Name of Accomplishment: Watershed / East of Hudson

When Initiated: 2007

Current Status: Ongoing

Description: Assist the Departments of Planning and Environmental Facilities in connection with the disbursement of East of Hudson (“EOH”) grant funds to various municipalities for certain approved water improvement projects, including preparation of legislation and agreements, including:

Storm Water Retrofit Projects - Pursuant to the Watershed Memorandum of Agreement (“MOA”), the County entered into an intermunicipal agreement with various Watershed municipalities pursuant to which \$10 million (the “EOH Funds”) in funds from the earnings on the EOH WQIP Fund, of which the County serves as custodian under the MOA, was provided to the East of Hudson Watershed Corporation (“EOH Corporation”), an independent locally-based and locally administered not-for-profit local development corporation, organized under Section 1411 of the NYS Not-For-Profit-Corporation Law.

Storm Water Retrofit Engineering Study – Legislation is being prepared in connection with the disbursement of approximately \$375,000 of EOH Funds to the EOH Corporation for a Storm Water Retrofit Engineering Study.

New Castle Sewage Diversion – Extensive negotiations, discussions and legislation prepared and submitted in connection with the disbursement of approximately \$16,000,000 of EOH Funds to the Town of New Castle for a sewage diversion project. The legislation is pending.

Town of Bedford Septic System Repair/Replacement Reimbursement Program – Legislation prepared, including an intermunicipal agreement for disbursement of approximately \$3,500,000 of EOH Funds in connection with a program implemented by the Town of Bedford (the “Town”) whereby property owners are to be reimbursed up to fifty percent of the costs to repair or replace failing septic systems.

Town of Bedford Salt Facility Replacement – Legislation prepared including an intermunicipal agreement with the Town of Bedford for disbursement of approximately \$175,000 of EOH Funds for the construction of a new salt storage facility in the Town of Bedford.

Town of New Castle Vacuum Truck – Legislation being prepared including an intermunicipal agreement with the Town of New Castle for disbursement of approximately \$175,000 of EOH Funds for the purchase of a vacuum truck.

Name of Accomplishment: Sewer District Modifications

When Initiated: N/A

Current Status: Ongoing

Description: Work with the Department of Environmental Facilities to prepare necessary legislation to authorize the modification of various sewer districts throughout the County.

Name of Accomplishment: Storm Water Reconnaissance Plan Legislation and Agreements

When Initiated: 2014

Current Status: Ongoing

Description: Prepared and submitted legislation in connection with the Westchester County Storm Water Management Law for adoption of Storm Water Reconnaissance Plans for the Croton River and Inland Long Island Sound, the Saw Mill and Pocantico Rivers, the Bronx River, the Coastal Long Island Sound and the Peekskill and Haverstraw Bays. The Law Department is currently finalizing intermunicipal agreements for the implementation of the plans for storm water management pursuant to the Storm Water Reconnaissance Plans.

Name of Accomplishment: Various Contract Matters for the Board of Legislators

When Initiated: N/A

Current Status: Ongoing

Description: Assist Board staff with contracts and contract related questions. Prepare numerous contracts for the Board and related A&C resolutions. Since November 1, 2014 (the last budget presentation) the Law Department has assisted the Board with over 29 such matters.

Name of Accomplishment: Legislation for Board of Legislators

When Initiated: N/A

Current Status: Ongoing

Description: Prepare legislation upon request of Board staff for various matters.

Name of Accomplishment: New York Medical College

When Initiated: 2013

Current Status: Ongoing

Description: Provide legal advice, counsel, legal research, and drafting services to the Department of Public Works and Transportation in connection with various projects for the New York Medical College.

Name of Accomplishment: Ashford Avenue Bridge

When Initiated: 2012

Current Status: Completed

Description: Provided legal advice, counsel, legal research, and drafting services to the Department of Public Works and Transportation in connection with the Ashford Ave Bridge project. The County has acquired property rights to affected properties adjacent to the Bridge. The acquisition of these properties was carried out in accordance with the New York State Eminent Domain Procedure Law.

Name of Accomplishment: Crawbuckie and Mariondale Portion of the Riverwalk Project in Ossining.

When Initiated: 2011

Current Status: Ongoing

Description: Provide legal advice to the Planning Department and drafted authorizing legislation, easements, agreements with private landowners and an IMA with the Village of Ossining in connection with the planning, design and construction of a new segment of River Walk.

Name of Accomplishment: Miscellaneous Westchester County Health Care Corporation Matters

When Initiated: 1998

Current Status: Ongoing

Description: Provide legal advice and counsel, research and drafting services, including drafting of necessary legislation, Board of Acquisition and Contract resolutions and agreements to various County Departments in connection with:

- Records storage (DOIT)
- Medical case management/Oral Health Services HIV/AIDS Patients (DOH)
- Post Exposure Evaluations to DOH Employees (DOH)
- Ambulance services to County shelter facilities (DSS)
- Employees exposure to blood borne pathogens (DOH)
- Parking Lot Improvement Project (DPWT)
- Occupational Health Center (DCR)

Name of Accomplishment: Various Department of Emergency Services Matters

When Initiated: 2009

Current Status: Ongoing

Description: Provide legal advice, legal research, draft legislation, resolutions and agreements for the County in connection with:

- Emergency Operations Center Lease with NYS
- Catering Contracts
- Emergency Procurement
- Audio/Video Project EOC
- Grants regarding the Urban Area Security Initiative, HazMat; Homeland Security; Local Emergency Management Performance; Statewide Interoperable Communications Grant
- Regional Partnership Agreement with Putnam and Dutchess for the Hazmat grant program;
- United Way 211 special needs registry
- Hawthorne and Valhalla fire services agreements
- Sprinter Van agreement with NYS.
- RFP for the County's Emergency Operations Center's Audio /Video media system's maintenance and service.

Name of Accomplishment: Tax Anticipation Notes

When Initiated: 2015

Current Status: Completed

Description: Provided legal advice and drafting services to the Finance Department in connection with various financing arrangements including the County's issuance of tax anticipation notes.

Name of Accomplishment: 2015 Fall Bond Sale

When Initiated: 2015

Current Status: Ongoing

Description: Provide legal advice and drafting services to the Finance Department in connection with the County's bond sale anticipated to occur in November.

Name of Accomplishment: New York State Environmental Facilities Corporation Short and Long Term Financings/Refundings

When Initiated: 2013

Current Status: Ongoing

Description: Provide legal counsel to the Finance Department in connection with the sale of County bonds to the New York State Environmental Facilities Corporation.

Name of Accomplishment: Various Department of Public Safety Matters

When Initiated: 2015

Current Status: Ongoing

Description: Provide legal advice, legal research, drafted legislation, resolutions and agreements for the County in connection with multiple matters including:

- School Resource Officer Agreements for the North Salem and Somers Central School Districts.
- IMAs with various municipalities and Putnam to utilize the County's firing range located in Valhalla, New York.
- SHPS Bomb Squad Initiative Grant Agreement Resolution.
- Century Protective Services, exercise option to renew security guard services at 25 Operations Drive, Valhalla, as well as Department of Social Services facilities in Westchester County, New York.
- IMA with Tuckahoe for overnight dispatch services.
- Government Payment Services, renewal of agreement for a remote pay system which allows scofflaws to pay their fines remotely.
- RJT Motorist Services, license agreement to provide booting and towing services for the WCTLTC for those who violate the County's For-Hire Vehicle Law.
- STOP DWI – multiple agreements
- Shared WCTLTC Ticket Revenue Agreement with Tarrytown –Village Police will assist DPS in enforcing the County's For-Hire Vehicle Law.
- IMA with Mount Kisco to provide supplemental police services
- IMAs with various municipalities in the County for the Mutual Aid and Rapid Response Plan
- Bid for lead abatement services in connection with the County shooting range.
- Drug Enforcement Task Force
- Acceptance of a grant from the United States Department of Homeland Security under its Port Security Grant Program

Name of Accomplishment: Renew Cell Tower License Agreements throughout Westchester County

When Initiated: 2012

Current Status: Ongoing

Description: Provide legal advice and counsel, research and drafting services to the Real Estate Director and the Department of Information Technology in connection with a renewing license agreements with numerous entities (e.g.: Sprint, AT&T, Con Edison, Entergy, T-Mobile, Verizon) for the use of County property to install, operate and maintain radio equipment and antennas.

Name of Accomplishment: Request for Qualifications for Development of North 60

When Initiated: 2012

Current Status: Ongoing

Description: Provide legal advice and counsel, research and drafting services to the County Executive's Office in connection with an RFQ for the development of certain County-owned land comprised of the north portion of the Grasslands Reservation ("North 60") for the creation of a research and development complex, which could support the County's growing medical and bio-tech industry.

Name of Accomplishment: Weekly Review of Acquisition and Contract (A&C)

Resolutions/Preparation for A&C Meetings

When Initiated: Many years ago

Current Status: Ongoing

Description: As the majority of A&C resolutions are prepared by the procuring departments and not the Law Department as a cost savings measure, the Bureau's Asst. Chief Deputy conducts legal compliance reviews for all resolutions submitted to A&C for Preboard on a weekly basis. Such review includes, but is not limited to, determining whether the resolution belongs at A&C; whether it has received any other necessary prior legal approvals; whether the resolution's cover memorandum and backup materials show compliance with the laws, rules and regulations applicable to the particular procurement; if a problem is found or questions arise, concerning a particular resolution, communicating with the submitting department to attempt to fix the legal issue and/or clarify a legal question concerning the resolution and if the problem or question can be resolved before the A&C meeting, working with the Department on resolving the issue.

The Law Department also provides legal advice and counsel to A&C staff in preparation for weekly A&C meetings and questions that arise relating to bids and bid openings.

Name of Accomplishment: Westair Lease Assignment to Million Air

When Initiated: 2013

Current Status: Completed

Description: Provide legal advice, legal research, drafting and other counsel to DPWT and the Administration in regard to the acquisition of Westair by Million Air.

Name of Accomplishment: Pepsi/Interlaken Hangar Leases

When Initiated: 2012

Current Status: Completed

Description: Provide legal advice, legal research, drafting and other counsel to DPWT in regard to lease amendments for hangars at Westchester County Airport.

Name of Accomplishment: Hangar 26 Lease with EJM Building Services LLC / NETJETS INC.

When Initiated: 2015

Current Status: Ongoing

Description: Provide legal advice, research, drafting and other counsel in regard to a new lease for Hangar 26 at Westchester County Airport.

Name of Accomplishment: Airport Newsstand RFP

When Initiated: 2014

Current Status: Completed

Description: Providing legal advice, legal research, drafting and other counsel to DPWT in regard to the procurement of an operator for the newsstand space in the Westchester County Airport terminal building.

Name of Accomplishment: Hangar “F” RFP

When Initiated: 2014

Current Status: Ongoing

Description: Provide legal advice, legal research, drafting and other counsel to DPWT in regard to the selection of a new tenant for Hangar “F” at the Westchester County Airport. Legislation currently pending approval of the Board of Legislators.

Name of Accomplishment: Terminal Use Agreement Changes

When Initiated: 2015

Current Status: Ongoing

Description: Provide legal advice, legal research, drafting and other counsel to DPWT to amend Section 712.462 of the Laws of Westchester County in order to make the existing limitations on air carrier operations contained therein more flexible. Legislation is currently pending approval.

Name of Accomplishment: Airport Itinerant Landing Fees

When Initiated: 2015

Current Status: Ongoing

Description: Provide legal advice, legal research, drafting and other counsel to DPWT in regard to instituting landing fees for itinerant aircraft operators utilizing Westchester County Airport to ensure that all aircraft operators using the Airport contribute to its economic base in a fair, reasonable, and non-discriminatory manner.

Name of Accomplishment: Million Air Lease

When Initiated: 2015

Current Status: Ongoing

Description: Provide legal advice, legal research, drafting and other counsel to DPWT in regard to lease negotiations to create a new fixed base operator at Westchester County Airport.

Name of Accomplishment: Flexjet Lease

When Initiated: 2015

Current Status: Ongoing

Description: Provide legal advice, legal research, drafting and other counsel to DPWT in regard to lease negotiations for a new prime tenant at Westchester County Airport. Legislation is currently pending approval.

Name of Accomplishment: Beczak Environmental Education Center

When Initiated: 2015

Current Status: Ongoing

Description: Provide legal advice, legal research, drafting and other counsel to DPWT in regard to lease negotiations to maintain this tenant at 35 Alexander Street in Yonkers.

Name of Accomplishment: South County Trailway

When Initiated: 2014

Current Status: Ongoing

Description: Provide legal advice, legal research, drafting and other counsel to Planning in regard to easements necessary to complete Phase 7 of the Trailway. Legislation is currently pending approval.

Name of Accomplishment: Contracts for 6-n Counsel

When Initiated: 2013

Current Status: Ongoing

Description: Prepared and processed amendments to contracts for 6-n counsel with various law firms in order to extend them through 2015 (with options remaining for 2016 and 2017), in order to ensure that the County can receive legal services and representation in connection with civil litigation in which the County is or may become involved pursuant to the County's liability and casualty self-insurance ("6-n") program.

Name of Accomplishment: Qualified Energy Conservation Bonds

When Initiated: 2011

Current Status: Ongoing

Description: Provide legal assistance, working with County Bond Counsel, to the Office of the County Executive and the Board of Legislators regarding the use of Qualified Energy Conservation Bonds (QECBs) for the purpose of financing the acquisition, construction and installation of renewable energy systems.

Name of Accomplishment: Facilitating Safety Improvements to Jackson Avenue

When Initiated: 2013

Current Status: Ongoing

Description: Provide legal assistance to the Board of Legislators, the Department of Public Works and Transportation, and the Department of Parks, Recreation and Conservation regarding various legal documents related to parkland alienation legislation that was approved by the New York State Legislature and authorized the County to alienate a small piece of Sprain Ridge Park for the purpose of facilitating improvements to Jackson Avenue.

Name of Accomplishment: Family Justice Center

When Initiated: 2009

Current Status: Ongoing

Description: Provide legal assistance to the Office for Women regarding the Family Justice Center at the White Plains Court Complex. Law provides assistance by preparing or reviewing A&C resolutions and the related agreements for the various partners to provide services at the Family Justice Center (e.g., counseling services, legal services, and victim advocacy services).

Name of Accomplishment: Merestead Property

When Initiated: 2011

Current Status: Ongoing

Description: Provide legal assistance to the Department of Parks, Recreation, and Conservation for various issues concerning the Merestead property.

Name of Accomplishment: Mountain Lakes Park

When Initiated: 2012

Current Status: Ongoing

Description: Providing legal assistance to the Department of Parks, Recreation, and Conservation for various issues concerning Mountain Lakes Park.

Name of Accomplishment: Various Requests for Proposals for the Department of Parks, Recreation, and Conservation

When Initiated: N/A

Current Status: Ongoing

Description: Provide legal assistance—including drafting related documents (e.g., A&C resolutions, agreements)—to the Department of Parks, Recreation, and Conservation for various requests for proposals, including those for the former restaurant site in V.E. Macy Park (the “Cantina” site) and the former gas stations on the Bronx River Parkway.

Name of Accomplishment: Contract Reform Working Group

When Initiated: 2011

Current Status: Ongoing

Description: Provide legal assistance to the County Executive’s Office and its Contract Reform Working Group (“CRWG”) in its work to streamline the County’s contracting documents and processes. Among other assistance provided to the CRWG to date, Law assisted with legal issues associated with the launch of the ‘Vendor Portal’, including its first module (the ‘Vendor Document Repository’) and its second module (the ‘Budget Module’), as well as the development of its other modules (e.g., the ‘Program Integrity Module’, the ‘Claims Module’).

Name of Accomplishment: Order of Succession Documentation

When Initiated: Many years ago

Current Status: Ongoing

Description: Provide legal assistance to the heads of various departments to facilitate the proper documentation and filing of the order of succession for his/her department (including successions under emergency circumstances), in accordance with the Laws of Westchester County and state law.

Name of Accomplishment: Certificates of Authorization for New Heads of Departments for Contract Execution

When Initiated: Many years ago

Current Status: Ongoing

Description: Prepared certificates of authorization, in accordance with Board of Acquisition and Contract resolutions prepared pursuant to §161.11(1)(b) & (c), for each new department head, in order to permit them to execute contracts for the County on behalf of their department (one for contracts specifically authorized by the Board of A&C and one for so-called “short forms”, which do not require specific Board of A&C approval), and had the prepared certificates signed by the County Executive.

Name of Accomplishment: IT Professional Services Requests For Proposals and Contracts for 2016-2018

When Initiated: 2015

Current Status: Ongoing

Description: Providing legal assistance to the Department of Information Technology by preparing a Request for Proposals for various professional consulting services for the County to enter into various two-year contracts based upon the results of the Requests for Proposals and the particular services needed.

Name of Accomplishment: Disposal of County real property no longer needed for County purposes.

When Initiated: 2004

Current Status: Ongoing

Description: Working toward closing certain surplus parcels approved for sale and deemed surplus by the Board of Legislators.

Name of Accomplishment: Taxi Pilot Program for Paratransit Services.

When Initiated: 2011

Current Status: Ongoing

Description: Drafting documents and providing legal advice to the Office for the Disabled and the Department of Public Works and Transportation in connection with the expansion of a Pilot program to offer taxi rides for eligible customers of the paratransit program in lieu of utilizing paratransit vehicles within certain areas of the County.

Name of Accomplishment: Grant agreements with State Office for Indigent Legal Services.

When Initiated: 2012

Current Status: Ongoing

Description: Work with Westchester Legal Aid Society to apply for various grants offered by the State Office for Indigent legal Services to improve the quality of indigent legal representation in Westchester County.

Name of Accomplishment: Liens Filed on County Construction Projects

When Initiated: N/A

Current Status: Ongoing

Description: Provide legal advice and counsel to the Department of Public Works and Transportation and Westchester Community College regarding public liens filed by contractors, subcontractors, suppliers and materialmen in connection with County construction projects.

Name of Accomplishment: Supplementation Services to Update the Laws of Westchester County

When Initiated: 2013

Current Status: Ongoing

Description: Act as interface with the current publisher of updates to the Laws of Westchester County to ensure that it is regularly and accurately updated with all current Local Laws, Executive Orders and all other updates.

Name of Accomplishment: Customer Installation Commitment Agreements with the New York Power Authority (“NYPA”)

When Initiated: 2009

Current Status: Ongoing

Description: Providing legal advice and counsel to the Department of Public Works and Transportation

in connection with various ongoing energy savings projects at County-owned buildings such as the re-construction of the Armory, Building Management System Upgrades at the New Jail and Headquarters Building at the Norwood E. Jackson Correctional Center; Woodfield Cottage and the Radio Tower Control Building in Valhalla, New York; and the Richard J. Daronco Courthouse Tower in White Plains, New York, including drafting of necessary legislation, A&C resolutions and agreements. Pursuant to these agreements, NYPA provides consulting services in connection with increasing energy efficiency and reducing consumption resulting in millions of dollars of long term savings to the County.

Name of Accomplishment: Westchester County Deferred Compensation Board

When Initiated: 1984

Current Status: Ongoing

Description: Act as legal counsel to the Westchester County Deferred Compensation Board (the “Board”), including attendance at Board meetings, preparation of meeting minutes, the provision of legal advice and performance required filings with the State of New York. In addition, legal counsel and advice was provided to the Board in connection with the procurement of an independent consultant to act as the Board’s fiduciary in connection with Board functions, including preparation of the RFP, negotiation and preparation of contract documents and ensuring compliance with all applicable State and Federal laws, rules and regulations concerning retirement plans.

Name of Accomplishment: NYSERDA Grant Application and Agreement to Accept Funding for the Possible Creation of County Microgrid:

When Initiated: 2015

Current Status: Ongoing

Description: Provide legal advice and counsel to the Department of Public Works and Transportation in connection with the preparation and submission of a grant application to the New York State Energy and Development Authority (“NYSERDA”) in connection with the first stage of the three-stage NY Prize Community Grid Competition in order to assess the feasibility of a community microgrid in Valhalla, New York that would initially encompass portions of the Westchester County Complex and the Westchester Community College. Subsequent to the award from NYSERDA, providing legal advice and counsel to the Department of Public Works and Transportation in connection with the negotiation of the grant agreement and negotiation and preparation of a subcontract with NYPA to perform said feasibility study.

Name of Accomplishment: Board of Elections Voting Machine Moving Contracts

When Initiated: 2011

Current Status: Ongoing

Description: Provide legal advice and counsel to the Board of Elections and the Department of Public Works and Transportation in connection with the preparation of bid specifications, contracts, and procurement of the voting machine moving contracts in connection with the 2014-15 Primary and General Elections.

Name of Accomplishment: Board of Elections Contract Procurements

When Initiated: 2012

Current Status: Ongoing

Description: Provide legal advice and counsel to the Board of Elections in connection with the

preparation of bid specifications, contracts, and procurement of contracts, including the purchase of new voting machines, storage of old lever voting machines and all other agreements. Providing assistance to the Board of Elections in connection with the acceptance of various State and Federal Grants.

Name of Accomplishment: Department of Public Works and Transportation Construction Projects

When Initiated: N/A

Current Status: Ongoing

Description: Provide legal advice and counsel to the Department of Public Works and Transportation in connection with all construction projects including assistance with the preparation of bid documents, bid award protests, contract disputes, default notices, termination letters, negotiations of payments, correspondence with contractor attorneys and assistance with closeout documentation.

Name of Accomplishment: Westchester Community College Construction Projects

When Initiated: N/A

Current Status: Ongoing

Description: Provide legal advice and counsel to Westchester Community College in connection with all construction projects including assistance with the preparation of bid documents, bid award protests, contract disputes, negotiations of payments, correspondence with contractor attorneys and assistance with closeout documentation.

Name of Accomplishment: Kingsland Point Park Lighthouse

When Initiated: 2013

Current Status: Ongoing

Description: Providing legal advice and counsel to the Department of Parks, Recreation, and Conservation in connection with renewal of the IMA with the Village of Sleepy Hollow for the operation of the maintenance and operation of Kingsland Point Park.

Name of Accomplishment: Scout Field

When Initiated: 2009

Current Status: Ongoing

Description: Providing legal advice and counsel, including the preparation of legislation, to the Department of Parks, Recreation, and Conservation in connection with negotiation and preparation of an IMA with the Town of Eastchester for the use, maintenance and operation of Scout Field as well as for various capital improvements.

Name of Accomplishment: Westchester Children's Museum - Playland

When Initiated: 2008

Current Status: Ongoing

Description: Provide advice relating to the lease and proposed renovation of the former North Bathhouse for use as the Westchester Children's Museum, for a ten-year term.

Name of Accomplishment: Playland Management Agreement

When Initiated: 2010

Current Status: Ongoing

Description: Provide legal advice and assistance to the County Executive's Office and the Department of Parks, Recreation and Conservation with respect to the Management Agreement with Standard

Amusements, LLC. Also, provided advice to and answer questions from the Board of Legislators during their review of the management agreement. Continue to provide advice and other legal services during implementation of the PMA.

Name of Accomplishment: Rockland County IMA for Preventative Respite Care

When Initiated: 2013

Current Status: Ongoing

Description: Drafted Legislation authorizing Rockland County to utilize the County’s preventive respite care provider (Children’s Village, Inc.) to provide mandated preventive respite care and services to eligible children from Rockland County pursuant to an intermunicipal agreement (“IMA”). Drafted related IMA and A&C resolution.

Name of Accomplishment: Institutional Foster Care

When Initiated: 2010

Current Status: Ongoing

Description: Drafted Board of Acquisition and Contract resolutions and updated evergreen agreement for institutional foster care and educational care for youth in the County’s care and placed in institutional foster care settings by the Family Court.

Name of Accomplishment: Title XX Day Care Agreements

When Initiated: pre-2000

Current Status: Ongoing

Description: Drafted Board of Acquisition and Contract resolution to add 37 new Title XX Day Care providers and to amend existing evergreen day care agreements. Draft revised day care agreements and amendment agreements to existing day care agreements.

Name of Accomplishment: DSS HUD Continuum of Care Grants and Homeless Services

When Initiated: pre - 2009

Current Status: Ongoing

Description: Drafted Board of Acquisition and Contract resolutions to accept approximately twelve U.S. Department of Housing and Urban Development Grants as well as agreements with agencies for the provision of temporary and permanent rental housing and supportive services pursuant to the McKinney-Vento Homeless Assistance Act.

Name of Accomplishment: Youth Homeless Prevention Initiative

When Initiated: 2014

Current Status: Ongoing

Description: Drafted Board of Acquisition and Contract resolutions and agreements to accept a U.S. Department of Health and Human Services grant to implement the Westchester Youth Homeless Prevention Initiative and to enter into agreements with Fordham University, New York University and Family Ties, Inc. to provide Trauma Systems Therapy Model training services as well as program evaluation and consulting services.

Name of Accomplishment: Ryan White Assignment

When Initiated: 2015

Current Status: Ongoing

Description: Drafted Legislation to authorize the County to assign its agreement with the City of New York for the provision of HIV-related services pursuant to Part A of the Federal Ryan White HIV/AIDS Treatment Extension Act for residents of the Counties of Westchester, Rockland and Putnam to Public Health Solutions, effective as of December 1, 2015. Drafted Board of Acquisition and Contract Resolution as well as Assignment Agreement. Provided advice and assistance to Department of Health and drafted notices of assignment to the County's Ryan White providers.

Name of Accomplishment: Requests for Proposals for Department of Social Services

When Initiated: 2013

Current Status: Ongoing

Description: Drafted requests for proposals for the Emergency Housing Assistance Program; specialized transcription services, audit services; Marketing and Training of Foster and Adoptive Families; Yonkers Emergency Overnight Shelter; Homeless Prevention; Cultural Proficiency Training; Intensive Case Management; Rental Assistance and Supportive Services for the Homeless (Including Department of Community Mental Health customers); document scanning and indexing services. Drafted related Board of Acquisition and Contract resolutions and agreements. Provided legal advice and assistance.

Name of Accomplishment: Various Legal Services for the Department of Senior Programs and Services

When Initiated: 2015

Current Status: Ongoing

Description: Provide continuing legal counsel to the Department of Senior Programs & Services with respect to its various federally funded programs for the elderly. Services include providing legal counsel concerning procurement requirements under the Federal Common Grant Rules, preparing RFPs, drafting agreements, legislation and A&C Resolutions to enable the Department to enter into contracts with various agencies and municipalities to implement its various senior services programs. Representative matters include contracts for the following programs:

- Title III-B, III-C and III-E
- Expanded-In-Home Services for the Elderly ("EISEP")
- Wellness In Nutrition Program (formerly "SNAP")
- Congregate Services Initiative
- AAA Transportation
- Senior Community Service Employment Program ("SCSEP")
- Community Services for the Elderly ("CSE")

Name of Accomplishment: Prisoner Transportation

When Initiated: pre-1997

Current Status: Ongoing

Description: Prepared legislation, A&C resolutions and intermunicipal agreements with approximately 25 Westchester County Municipalities (including 23 municipalities organized into four rate zones, as well as five individual municipalities) to transport prisoners, to and from court appearances, who have been remanded to the Westchester County Jail.

Name of Accomplishment: Capital Bonding Legislation/Attend Weekly Capital Projects Workgroup Meetings

When Initiated: N/A

Current Status: Ongoing

Description: Attend weekly meetings of Capital Project Workgroup to evaluate and provide legal advice regarding ongoing capital projects and capital budget amendments as required. Draft capital bonding legislation and capital budget amendments, as required (112 matters in 2015). Draft revisions to capital bonding legislation as requested by the Board of Legislators. The following are a few of the projects worked on in 2015:

- A095B: In-Line Baggage Screening
- A0120: Ground Support Equipment Facility
- BES05: DES Main Facility Rehab
- BIT6B: Purchase of Computer Equipment (2011-2015)
- BIT9A: Geographical Information Systems (2015-2019)
- BIT30: E911 Equipment Replacement Phase II
- RB03K: Access Ramp to NB Saw Mill River Parkway
- RB03R: Pier Rehab Ashford Avenue Bridge
- RB123: Playland Parkway Access Road
- SBB85: Sewer System Rehab Blind Brook
- SM075: Pump Station Rehab Program - Mamaroneck
- T009G: Paratransit Vehicles

Name of Accomplishment: Airport Grant Agreements

When Initiated: N/A

Current Status: Ongoing

Description: Worked with the Department of Public Works and Transportation to prepare necessary legislation and A&C resolutions to authorize the County to enter into various grant agreements with the Federal Aviation Administration, Transportation Security Administration, and/or the New York State Department of Transportation to accept funding for various capital projects at the Westchester County Airport, including the following:

- A056C: Heavy Equipment Acquisition
- A0079: Airport Road Rehabilitation
- A0118: Runway Rehabilitation

Name of Accomplishment: Renewal of Inter Municipal Agreements with Nassau County

When Initiated: March, 2014

Current Status: Legislation has been approved and the IMA executed.

Description: Worked with the Department of Labs and Research and the Department of Public Safety to develop Inter Municipal Agreements with Nassau County to provide needed crime lab services for the Nassau County Police Department due to the closing of the Nassau County Crime Lab, including but not limited to the preparation of legislation, A&C resolution, and the IMA.

Name of Accomplishment: NEG Funds for Hurricane Sandy Recovery

When Initiated: 2012

Current Status: Completed

Description: Working with the Department of Social Services, Office of Workforce Investment, to develop various agreements for the purpose of disbursing (in accordance with the New York State Department of Labor's Notice of Award documents) federal National Emergency Grant funding to assist

in recovery efforts from Hurricane Sandy.

Name of Accomplishment: Labor Negotiation Consultant Services

When Initiated: N/A

Current Status: Completed

Description: Prepared A&C Resolution and 2015 contract for the services of Vincent Toomey to provide labor negotiation services with the County's various labor unions.

Name of Accomplishment: Human Rights Commission Intake Office

When Initiated: 2015

Current Status: Completed

Description: Prepared A&C Resolution and contract to renew an agreement with the City of Yonkers pursuant to which the County, through the Executive Director of the County Human Rights Commission, would take discrimination complaints from Yonkers residents one (1) day per week from a satellite office located in Yonkers.

Name of Accomplishment: Various Legal Services for the Westchester DA's Office

When Initiated: N/A

Current Status: On-going

Description: Worked with the DA's office to facilitate contracts for various grants and programs. Drafted A&C Resolutions and contracts and provided on-going legal counsel. Representative matters include:

- Westchester County Reentry Task Force
- Multidisciplinary Team and Child Advocacy Center Grant Program
- Sexual Assault Victims and Elderly Services ("SAVES") Program
- STOP Violence Against Women Collaborative Program
- Body camera subsidy for local police departments
- Various incidental services necessary for the operation of the DA's office such as translation services, transportation services, messenger services
- Psychotherapy services to Crime Victims
- Crimes Against Revenue Prosecution
- Safe Streets Task Force
- Crime Analysis Consultant
- Various procurements and agreements for on-line specialized research including but not limited to agreements with both Westlaw and LexisNexis
- Services to have new IT network equipment installed and configured

Name of Accomplishment: Various Expert Witness Contracts for Litigation Bureau

When Initiated: N/A

Current Status: On-going

Description: Assist County Attorney's Office Litigation Bureau in preparing contracts with expert witnesses needed to assist in defending the County against various lawsuits. Draft A&C resolutions and contracts.

Name of Accomplishment: FAA DBE/ACDBE Policy Statement and Small Business Plan Requirements

When Initiated: N/A

Current Status: Ongoing

Description: Review existing FAA DBE/ACDBE policies and compliance with said policies with the assistance of expert airport counsel (The Wicks Group). Assist Public Works & Transportation with Federal DBE/ACDBE requirements. Work with expert airport counsel to advise Public Works & Transportation regarding revisions to Federal Airport Concessionaire Disadvantaged Business Enterprise (“ACDBE”) program. Review existing agreements covered by FAA requirements.

Name of Accomplishment: Solid Waste Operator RFP

When Initiated: 2013

Current Status: Completed

Description: Provide legal advice, legal research, drafting and other counsel to DEF in regard to the selection of an operator for the County’s solid waste transfer stations and Material Recovery Facility.

Name of Accomplishment: Her Honor Young Women’s Mentoring Agreement

When Initiated: N/A

Current Status: Ongoing

Description: Assist Office for Women staff with contracts and contract related questions for volunteer young women’s mentoring program participated in by over 40 mentors, each of whom is required to sign an individual agreement. Prepare numerous incarnations of the agreement and related A&C resolutions to meet the varying needs of mentors, and, in some cases, their employers.

Name of Accomplishment: Refuse District Modification of Plan of Improvements

When Initiated: N/A

Current Status: Ongoing

Description: Assist Department of Environmental Facilities staff by reviewing Plan modification, drafting legislation authorizing the County to modify the Plan of Improvements for Refuse Disposal District No. 1 and bonding legislation for two related capital projects.

Name of Accomplishment: Electronic Recording of Instruments Affecting Real Property

When Initiated: 2012

Current Status: Ongoing

Description: Assist the County Clerk’s office in executing agreements used by the County to authorize various parties (law firms, title companies, individuals, etc.) to electronically record instruments affecting real property through the County’s existing PREP electronic recording system, in accordance with a new state law and accompanying state regulations.

Name of Accomplishment: Employee Assistance Program

When Initiated: 2010

Current Status: Ongoing

Description: Provide legal assistance to the Department of Community Mental Health in the preparation and/or execution of all documents necessary for the department to provide Employee Assistance

Program (“EAP”) services to municipal corporations.

Name of Accomplishment: Compliance with State and Federal Requirements Concerning Grants and Other Funding Streams

When Initiated: 2011

Current Status: Ongoing

Description: Provide legal assistance to all departments and offices within the County that receive state and/or federal funds. This legal assistance occurs both on an individual basis, in the form of one-on-one assistance that includes reviewing pertinent documents, performing legal research, and giving advice and education on this topic.

Name of Accomplishment: Various Department of Labs and Research Matters

When Initiated: N/A

Current Status: Ongoing

Description: Provided legal advice, draft resolutions and/or agreements for the County in connection with the operation of the County’s Biodefense Laboratory; United States Department of Justice Forensic DNA Backlog Reduction; Microbac Laboratories, Inc. to ensure safe drinking water for County residents; Veolia ES Technical Solutions, Inc. for the proper collection and disposal of chemical waste; Approved Storage & Waste Hauling, Inc. for the proper collection and disposal of medical waste; On Assignment Staffing, Inc. for temporary lab personnel; and Soft Computer to procure new hardware for the LIMS system.

Name of Accomplishment: Compliance with New York State Departmental Regulations regarding Executive Order 38

When Initiated: 2013

Current Status: Ongoing

Description: Perform Legal Research and advise County departments regarding New York State departmental regulations that have been adopted to implement Executive Order 38 regarding administrative costs and executive compensation for not-for-profits that receive state funding from specified state agencies.

Name of Accomplishment: Various Westchester – Putnam Local Workforce Development Board (“WDB”) Matters

When Initiated: 2015

Current Status: Ongoing

Description: Prepare and/or review various documents (e.g., Requests for Proposals and Requests for Quotations, Board of Acquisition and Contract resolutions, and agreements), and otherwise provide legal advise for the County regarding the actions it takes on behalf of the WIB until June of this year and now the WDB on matters including:

- Transition from WIA to WIOA and the WIB to the WDB
- 2015 Summer Youth Employment Program
- Just Add One campaign
- Eligible Training Providers

- Volunteer Income Tax Assistance (*VITA*) program
- WIOA Youth Work Experience Manager
- WIOA Sector Partnership Manager
- USDOL Ready To Work Program-funded agreements

Name of Accomplishment: Out of District Sewage Discharge Permit of the Town of Putnam Valley.

When Initiated: 2014

Current Status: Ongoing

Description: Provide legal advice and drafting documents and legislation for the Dept. of Environmental Facilities in connection with the proposed sewage discharge permit for the Town of Putnam Valley. Legislation drafted to exempt the permit from the term limitation for such permits in the Laws of Westchester County.

Name of Accomplishment: Contract for Countywide Bee-Line Paratransit Services

When Initiated: 2014

Current Status: Ongoing

Description: Provide legal advice and drafting documents for the Westchester County Department of Public Works and Transportation and the Office for the Disabled in connection with the procurement of Countywide Bee-Line Paratransit Services.

Name of Accomplishment: Willson's Woods Park Road.

When Initiated: 2014

Current Status: Ongoing

Description: Provide legal advice and drafting documents for the proposed use of Willson's Woods Park Road by an adjacent property owner in the City of Mount Vernon.

Name of Accomplishment: Public Safety License for space at 19 Skyline Drive in Hawthorne

When Initiated: 2014

Current Status: Ongoing

Description: Prepared authorizing resolutions and provided legal advice to Departments of Public Safety and Public Works & Transportation in connection with the occupancy of space at 19 Skyline Drive in Hawthorne as well as associated renovation work, to be used by the County's Police Academy and Public Safety's Narcotics Division while their current locations are being renovated. Prepared multiple license agreements and subsequent amendments to those agreements.

Name of Accomplishment: Construction of the Tarrytown Forcemain in connection with an Order on Consent with the NYSDEC

When Initiated: 2014

Current Status: Ongoing

Description: Drafting documents, including legislation, purchase agreements, easement agreements, and providing legal advice in connection with the acquisition of the necessary property rights from Metro North, the Village of Tarrytown and private property owners in the Village of Tarrytown in order to effectuate the construction of the new Tarrytown Forcemain which will replace the existing Forcemain which has failed multiple times. Prepare real estate documents, such as property deeds and easements in order to take title to the properties. Coordinate and attend the closings of the property transactions.

Name of Accomplishment: Retention of law firm of Whiteman, Osterman & Hannah, LLP in Order to Obtain Recovery of Medical Assistance Reimbursements that May be Owed by New York State

When Initiated: 2013

Current Status: Ongoing

Description: Providing legal advice and counsel, including the preparation of legislation and contract documents to the Department of Social Services in connection with the retention of the law firm to obtain recovery of medical assistance reimbursements that may be owed by New York State to the County. Prepare legislation and A&C resolutions authorizing the same. Prepare retainer agreement and related documents. Coordinate with outside counsel.

Name of Accomplishment: Procurement of a New Inmate Healthcare Provider for the Inmates of the Department of Correction

When Initiated: 2014

Current Status: Ongoing

Description: Provide legal advice to the Westchester County Department of Correction in connection with the procurement of the healthcare provider New York Correct Care Solutions Medical Services, P.C. including but not limited to, legal research and advice regarding the pertinent legislation, the preparation of an RFP, A&C resolution, and contract documents. Provide legal advice and assistance in connection with contract negotiation with the selected vendor.

Name of Accomplishment: Office for Women

When Initiated: N/A

Current Status: Ongoing

Description: Provide legal assistance with drafting of A&C resolutions, agreements, amendments to agreements, and related questions for various programs for women. Since November 1, 2014 (the last budget presentation) the Law Department has assisted the with over 30 such matters.

Name of Accomplishment: Out of District Sewage Discharge Permit for Mohegan Manor

When Initiated: 2014

Current Status: Completed

Description: Provided legal advice and drafting services, including A&C resolution and permit agreement for the Dept. of Environmental Facilities in connection with an out-of-district sewage discharge permit for an adult residential facility located in the Town of Cortlandt.

Name of Accomplishment: Out of District Sewage Discharge Permit for Patrick and Michele McInerney

When Initiated: 2015

Current Status: On-going

Description: Provide legal advice and drafting services, including A&C resolution and permit agreement for the Dept. of Environmental Facilities in connection with an out-of-district sewage discharge permit for the owners of residential property located in Bronx County.

Name of Accomplishment: Greenwich Woods Out-of-District Permit/Assignment Agreement

When Initiated: 2015

Current Status: Complete

Description: Prepared legislation, A&C resolution and Assignment Agreement to reflect the change in ownership of a party to an Out-of-District Discharge permit.

Name of Accomplishment: Youth Bureau Legislation

When Initiated: N/A

Current Status: On-going

Description: Assisted the Youth Bureau in the preparation of legislation, A&C resolutions and contracts to implement its numerous youth development programs.

Name of Accomplishment: RFP for Process Servers for Family Court Proceedings

When Initiated: 2015

Current Status: Complete

Description: Assisted DSS and Law Department Family Court Bureau with preparation of an RFP to solicit proposals for process servers for Family Court proceedings. Also prepared A&C and contract.

Name of Accomplishment: Office of Tourism & Film

When Initiated: N/A

Current Status: On-going

Description: Prepared various contracts and A&C resolutions for Office of Tourism & Film to promote Westchester County as a leisure and business tourism destination. Representative matters include:

- Destinations of New York State
- I Love NY Grant
- Hudson Valley Tourism
- New York State Tourism Industry Association

Name of Accomplishment: Kensico Dam Food Refreshment Concession

When Initiated: 2015

Current Status: Under review by PRC

Description: Prepared RFP for PRC to solicit quotations for a food and refreshment concession at Kensico Dam Park

Name of Accomplishment: Bid for Non-Emergency Moving and Storage

When Initiated: 2015

Current Status: Under review by DSS

Description: Assisted DSS with preparation of Bid Document to solicit bids for Non-Emergency Moving and Storage for Homeless Families.

Name of Accomplishment: SICG Radio Project

When Initiated: 2014

Current Status: Ongoing

Description: Provide legal advice and counsel, research and drafting services to the Department of

Information Technology in connection with the project involving the implementation of systems for first-responder communication via the VTAC National Interoperability channels, and implementation of microwave links to support the VTAC systems, enhance reliability of wireline connections between 60-Control, DPS HQ, and County sites, and connect emergency communication facilities in Westchester, Rockland, Putnam, and Orange.

Name of Accomplishment: Radio System Replacement Project

When Initiated: 2014

Current Status: Ongoing

Description: Provide legal advice and counsel, research and drafting services to the Department of Information Technology in connection with the project to replace three large mission-critical voice radio communication systems currently utilized for police, fire, EMS, and transit (Bee Line) operations in the County. Guaranteed parts and repair service for the three systems will no longer be available from the manufacturer (Motorola) after December 2018, and law enacted by Congress requires operation on the frequencies used by the fire, EMS, and transit system to cease between 2021 and 2023. The project scope includes building replacement systems that will continue to serve police, fire, and EMS users.

Name of Accomplishment: Radio Project Real Estate Sub Committee

When Initiated: 2015

Current Status: Ongoing

Description: Provide legal advice and counsel, research and drafting services to DOIT, DES, DPS, PRC, DPW, CXX in connection with obtaining the requisite permission to utilize non-county owned property in order to install, operate and maintain radio equipment and antennas. Agreements are required for the following locations:

- Adams Lane American Tower Pound Ride
- Benefield Blvd Peekskill
- Hangar E Citiflight Westchester Airport
- Maryknoll American Tower New Castle
- Mountain Avenue Mt Kisco
- Mountain Lakes NYS Police
- Putnam Valley American Tower Putnam Valley
- Putnam Valley American Tower Orange County
- Summit Avenue United Water Portchester

Name of Accomplishment: i.park Yonkers Family Court

When Initiated: 2014

Current Status: Completed

Description: Provided legal advice, legal research, drafting and other counsel to DPWT and the Administration in regard to a second amendment to the i.park Lease in order to include the renovations necessary to move the Yonkers Family Court and ancillary County offices into the i.park space and revise the lease term and adjust the rental payments accordingly.

Name of Accomplishment: WCHCC and WIHD sublease agreements

When Initiated: 2014

Current Status: Ongoing

Description: Provide legal advice, legal research, drafting and other counsel to DPWT and the Administration in regard to subleases with WCHCC and the Westchester Institute for Human

Development at Cedarwood Hall.

Name of Accomplishment: Guard Hill Radio Tower

When Initiated: 2013

Current Status: Ongoing

Description: Providing legal advice and counsel, research and drafting services to the Departments of Emergency Services, Public Safety and Information Technology in connection with a project to improve the infrastructure at the Guard Hill radio site owned by the Town of Bedford, and then to install County radio systems at the site to improve coverage in the area. Improvements at Guard Hill will allow relocation of existing DES radio systems from the roof of the Northern Westchester Hospital Center (NWHC) to the higher Guard Hill site, and will also allow DPS radio systems and first responder radio interoperability systems to be installed at the site.

Name of Accomplishment: Major Emergency Transportation Unit

When Initiated: 2013

Current Status: Ongoing

Description: Provide legal advice and counsel, research and drafting services to the Department of Emergency Services to enter into a multi-party Municipal Mutual Aid and Assistance Agreement with Suffolk County, Nassau County, the City of New York, the City of Yonkers and the Port Authority of New York and New Jersey for the purpose of coordinating the sharing of Major Emergency Transportation Unit program resources, personnel and equipment in the event of a local disaster or other emergency.

Name of Accomplishment: Hazard Mitigation Plan

When Initiated: 2013

Current Status: Ongoing

Description: Provide legal advice and counsel, research and drafting services to the Department of Emergency Services in connection with the adoption of a Multi-Jurisdictional, Multi-Hazard Mitigation Plan for the County in compliance with the criteria set forth in the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, 42 U.S.C. § 5121, et seq., as amended by the Disaster Mitigation Act of 2000, Public Law 106-390, which established new requirements for pre and post disaster hazard mitigation programs; and the requirements set forth under 44 C.F.R. Part 201, §201.6.

Name of Accomplishment: Child Fatality Review Team

When Initiated: 2010

Current Status: Ongoing

Description: Provide legal assistance to the Family Court Bureau regarding the Child Fatality Review Team by preparing A&C resolutions and preparing and/or reviewing the related agreements.

Litigation Bureau

FEDERAL COURT CASES:

Ackridge v. Westchester County

When Initiated: 2015

Current Status: Case dismissed

Dollars Saved: Difficult to determine

Description: Plaintiff alleged that he was being illegally held at the Westchester County Jail by the County because he was denied a fair parole hearing process. Such process is under the purview of NYS Dept. of Correction & Community Supervision. The County successfully defeated Plaintiff's Writ of Habeas Corpus and his motion to renew and/or reargue his position.

Bell v. Correction Officers Diaz, Holmes, Olimpio and Allen

When Initiated: 2012

Current Status: Case settled for \$50,000.

Dollars Saved: Difficult to determine. Plaintiff requested punitive damages.

Description: Plaintiff brought this civil rights action against Defendants/ County Correction Officers and members of the Department's Emergency Response Team, and alleged that they used excessive force when they were removing him from his cell. Due to the inherent risks of litigation, the potential liability for payment of plaintiff's legal fees, the mental status of the inmate, the matter was settled prior to trial.

Berger v. Astorino, et al.

When Initiated: 2014

Current Status: Case dismissed.

Dollars Saved: Difficult to determine. Plaintiff sought reinstatement to his former position as Executive Director of Solid Waste Licensing, compensatory and punitive damages, and counsel fees.

Description: Plaintiff, the former County Executive Director of Solid Waste Licensing, alleged that he was fired because of his political affiliation and that his termination was in violation of his rights to free speech and association. The Court granted the County's motion to dismiss the complaint.

Caldarola v. Westchester County

When Initiated: 2015

Current Status: Case dismissed.

Dollars Saved: Difficult to determine.

Description: Plaintiff brought various employment discrimination claims largely based upon his allegation that the County was withholding Workers' Compensation payments from him due to his age, race, and disability. The Court granted the County's motion to dismiss the complaint.

Cetina v. Westchester County

When Initiated: 2012

Current Status: Case dismissed.

Dollars Saved: Difficult to determine. Plaintiff sought \$3,000,000 in punitive damages, \$600,000 in compensatory damages for lost wages, an undisclosed amount for direct and compensatory damages for medical, psychological injury and pain and suffering, and attorneys' fees.

Description: Plaintiff commenced this federal action claiming employment discrimination in the Department's alleged failure to promote him to Captain. In December 2013, the District Court granted the County's pre-answer motion to dismiss the Complaint. Plaintiff appealed. On September 30, 2014, the Second Circuit affirmed that decision. Mr. Cetina filed a petition for certiorari, which was successfully defended by the County.

Cirulli v. Astorino, et al.

When Initiated: 2014

Current Status: Case dismissed.

Dollars Saved: Difficult to determine. Plaintiff sought compensatory and punitive damages and attorney's fees.

Description: Plaintiff sued the County Executive and others relating to the rejection of his appointment to the Westchester Medical Center's Board of Trustees. The County successfully obtained dismissal of the action as against all County defendants.

Deanda v. Hicks, Thomas, Pavone, Caporale

When Initiated: 2013

Current Status: Case dismissed.

Dollars Saved: Difficult to determine. Plaintiff requested punitive damages.

Description: Plaintiff brought this action against Defendants/County Police Officers, wherein she alleged violations of the Fourth, Fifth, Sixth and Fourteenth Amendments to the United States Constitution, among other things, and New York State common law, as a result of her arrest for possession of oxycodone pills without a prescription in an unlabeled container. The Court granted the County's Motion for Summary Judgment and dismissed the case.

Gomez v. County, et al.

When Initiated: 2012

Current Status: Case dismissed, appeal pending.

Dollars Saved: Difficult to determine.

Description: Plaintiffs alleged that the jail healthcare providers failed to provide adequate dental care and respond promptly to dental emergencies. The Court granted the County's motion to dismiss. An appeal is pending.

Hanner v. County of Westchester, et al.

When Initiated: 2014

Current Status: Case dismissed.

Dollars Saved: Difficult to determine. Plaintiff was seeking millions of dollars in compensatory and punitive damages.

Description: Plaintiff alleged that she was subjected to numerous constitutional violations while incarcerated at the Westchester County Jail. After the County defendants submitted a letter to the Court requesting a pre-motion conference to move to dismiss plaintiff's complaint on certain enumerated grounds, the court scheduled a conference and dates for plaintiff to submit an opposition letter to the County defendants' request. When plaintiff failed to appear and did not respond to the County's application, the court dismissed the case. Although plaintiff has repeatedly requested that the court reconsider its decision or that the decision be appealed, the district court judge has denied plaintiff's requests.

Independence Party v. Astorino, et al.

When Initiated: 2013

Current Status: Case dismissed.

Dollars Saved: Difficult to determine.

Description: The Westchester County Independence Party, and several individual members thereof, sued the County Executive and approximately 90 other individuals and entities, including the Board of Elections, claiming that the defendants engaged in racketeering activity and violated plaintiffs' civil rights. Following multiple amendments, the District Court granted the defendants' motions and dismissed the action in its entirety.

Kern v. Westchester County Community College, et al.

When Initiated: 2014

Current Status: Case settled for \$40,000.

Dollars Saved: Difficult to determine. Plaintiff demanded lost past and future wages, benefits, and compensation, punitive damages, and attorneys' fees.

Description: Plaintiff, a former employee of Westchester Community College, alleged that she was subject to discrimination and retaliation as a result of her medical condition and race. According to Plaintiff, the alleged discriminatory and retaliatory conduct taken by County employees forced her to retire early, caused her humiliation, embarrassment, as well as mental and emotional injuries, and resulted in loss of wages, benefits, and promotional opportunities. Due to the inherent risks of litigation, the potential liability for payment of plaintiff's legal fees, the matter was settled. The County paid plaintiff \$40,000 in exchange for a discontinuance of the action and a release from liability.

Membreno v. Westchester County, Sgt. Holmes and C.O. Torres

When Initiated: 2012

Current Status: Case settled for \$10,000.

Dollars Saved: Difficult to determine. Plaintiff requested punitive damages.

Description: Plaintiff alleged that excessive force was used against him while he was in court, that he was denied the right to file a grievance about the incident, and that the County had a pattern and policy of excessive force committed against inmates at the jail. Due to the inherent risks of litigation, the potential liability for payment of plaintiff's legal fees, and to avoid further expenses of litigation, the matter was settled by payment of \$10,000.

Rennalls v. Alfredo, et al.

When Initiated: 2012

Current Status: Case against County Defendants dismissed.

Dollars Saved: Difficult to determine. Plaintiff demanded \$ 2,775,000 from the County.

Description: Plaintiff (former inmate) brought this action alleging that a County correction officer failed to protect him against an unprovoked attack by another inmate and that this failure was indicative of a systemic failure of County policy. In addition to the state and federal claims alleged against the County and its employee, Plaintiff also made claims against Correct Care Solutions in connection with his medical care following the attack. The County made a motion to dismiss the complaint against the County and its employee, and the Court granted the motion.

Rodriguez v. Westchester County, Correct Care Solutions, et al.

When Initiated: 2012

Current Status: Case settled for \$9,000.

Dollars Saved: Difficult to determine.

Description: Plaintiff, a former inmate, alleged that she was denied medical care and suffered damages as a result of the negligence of Correct Care Solutions and its medical staff as well as County employees. Plaintiff alleged that her medical conditions were ignored and exacerbated by the use of latex gloves and the denial of an EpiPen. Due to the inherent risks of litigation, the potential liability for payment of plaintiff's legal fees, and to avoid further expenses of litigation, the matter was settled by payment of \$9,000.

Rodriguez v. Rivera, et al.

When Initiated: 2012

Current Status: Case settled for \$9,000. (\$4,000 to plaintiff and \$5,000 to pay for public/medical assistance liens.

Dollars Saved: Difficult to determine.

Description: Plaintiff claimed that the Odyssey House, Inc., a New York City long term residential facility, was not a suitable facility for her inpatient substance abuse rehabilitation. She alleged that her complaints regarding her placement were ignored and that she developed COPD due to a black mold allergy which exacerbated her asthma during her stay. Due to the inherent risks of litigation, the potential liability for payment of plaintiff's legal fees, and to avoid further expenses of litigation, the matter was settled by payment of \$9,000, \$4,000 of which was paid to plaintiff and \$5,000 was allocated to pay public/medical assistance liens.

Sander v. Westchester County, et al.

When Initiated: 2014

Current Status: Case dismissed.

Dollars Saved: Difficult to determine.

Description: Plaintiff alleged claims of a purported illegal condemnation of her property located in Yonkers and false arrest. The County made a motion to dismiss this complaint, and the Court granted the motion.

Shaver v. Westchester County, et al.

When initiated: 2014

Current status: Case settled for \$24,000.

Dollars saved: Difficult to determine.

Description: Plaintiff, a former inmate, claimed that County miscalculated his discharge date and incorrectly applied New York State Penal Law Section 70.30(2)(b). He alleged violations of his civil rights, including claims of false imprisonment, cruel and unusual punishment, unlawful seizure, lack of procedural due process, and state law claims for false imprisonment and negligence. During his incarceration, Plaintiff challenged the County's calculation in the State Supreme Court. His petition was denied; however, Second Department reversed the lower court. The Court of Appeals affirmed the Second Department's decision. Upon the County's motion, the District Court dismissed certain federal claims but denied the County's motion with respect to the federal claims of false imprisonment and procedural due process and the state claims of false imprisonment and negligence. Due to the inherent risks of litigation, the potential liability for payment of plaintiff's legal fees, and to avoid further expenses of litigation, the matter was settled by payment of \$24,000.

Sutton v. County of Westchester, et al.

When Initiated: 2013

Current Status: Case dismissed.

Dollars Saved: Difficult to determine.

Description: Plaintiff brought this federal civil rights action against the County of Westchester and three other non-County defendants alleging excessive force, false arrest and false imprisonment. The County filed a motion for summary judgment and the Court granted the motion, dismissing the action.

United States v. Westchester County

When Initiated: 2014

Current Status: Case settled.

Dollars Saved: Approximately \$89 million.

Description: The United States, on behalf of the Environmental Protection Agency, sued the County relating to the treatment of drinking water in Water District No. 1. The United States was seeking penalties against the County, under the Safe Drinking Water Act, in an amount of \$37,500 per day, for a period of approximately six years, for a total of nearly \$90 million. Following extensive discovery, the County negotiated a consent decree which provided for the payment of approximately \$1 million in penalties.

Vessa v. County of Westchester, et al.

When Initiated: 2012

Current Status: Case dismissed.

Dollars Saved: Difficult to determine.

Description: Plaintiff alleged that a search of his home was wrongfully obtained in violation of his civil rights. The Court granted the County's motion to dismiss. Plaintiff filed an appeal with the Second Circuit, which was successfully defended by the County.

STATE COURT CASES

40 Reynal Road Corp. v. County of Westchester and the City of White Plains

When Initiated: February 2015

Current Status: Case dismissed.

Dollars Saved: A substantial, but undetermined amount.

Description: Plaintiff brought this action seeking declaratory judgment, injunctive relief and for damages relating to an alleged failure by the County to maintain, or enforce maintenance of, a stone footbridge and a portion of the Western Branch of the Mamaroneck River. Plaintiff claimed that the lack of maintenance was creating a public hazard, damaging its land and its ability to develop it, and greatly diminishing its property value. The County moved to dismiss the complaint upon the grounds that the County did not have any duty to plaintiff or to maintain the footbridge or waterway in question based

upon the relevant County codes regarding stream control and water channel demarcations. The County's motion was granted.

Airport Mart v. County of Westchester

When Initiated: 2015

Current Status: Case dismissed. A notice of appeal has been filed by Petitioner.

Dollars Saved: Difficult to determine.

Description: Petitioner claimed that the County improperly awarded a contract to another vendor to operate at the Westchester County Airport and asserted breach of contract claims against the County. The County successfully obtained a full dismissal of the action.

Ansell v. County of Westchester

When Initiated: April 2015

Current Status: Case dismissed.

Dollars Saved: Difficult to determine.

Description: Petitioner claimed that the Westchester County Jail miscalculated his jail-time credit regarding the state sentence he is currently serving. The County's motion to dismiss was granted.

In re Ashford Avenue Bridge

When Initiated: 2015

Current Status: Matter withdrawn.

Dollars Saved: Not applicable

Description: This action was commenced in order to forcibly obtain certain easements, via eminent domain, that were required to repair the Ashford Avenue Bridge. Following the initiation of the proceeding, the County was able to secure the easements from the property owners, allowing the County to discontinue the action.

Matter of Dennis v. Westchester County Human Rights Commission

When Initiated: 2015

Current Status: Case dismissed.

Dollars saved: Difficult to determine.

Description: Petitioner challenged the dismissal of her discrimination complaint by the Westchester County Human Rights Commission (the "HRC"). The County moved to dismiss the proceeding on the grounds that: (i) Petitioner failed to comply with the service of process directives set forth in the Order to Show Cause; (ii) the HRC's determination was neither arbitrary nor capricious nor lacking a rational basis in the records; and (iii) failure to state a cause of action. The Court granted the County's motion to dismiss.

Eisemann v. County of Westchester, et al.

When Initiated: 2015

Current Status: Case dismissed against County defendants.

Dollars Saved: Difficult to determine. Plaintiff demanded \$108,897.22 ("rate" supposedly agreed upon) or \$ 215,523.00 (the claimed "reasonable value" of services).

Description: Plaintiff brought this action seeking payment of legal fees pursuant to alleged contracts to represent the Westchester County Board of Legislators in litigation pertaining to changes of the Board of Acquisition and Contract's composition and the rate of daycare cost contributions. Plaintiff made claims

of breach of contract, account stated, unjust enrichment, promissory estoppel, quantum meruit, and mandamus. The County made an unopposed motion to dismiss the complaint against the County and its employees and the Court granted the motion.

Hodge v. County of Westchester

When Initiated: 2012

Current Status: Case dismissed on summary judgment

Dollars Saved: Plaintiff demanded \$1,000,000.

Description: Plaintiff, a former inmate, alleged that he was assaulted by another inmate while in the custody of the County Department of Corrections. Plaintiff alleges the County was negligent in its supervision of the inmates, and that it was liable for negligent hiring and training of its correction officers. Plaintiff also alleged that the County was liable for constitutional violations. After completion of discovery, the County moved for summary judgment. On March 4, 2015, the Court granted the County's motion and dismissed the matter.

Jones v. County of Westchester, et al.

When Initiated: 2012

Current Status: Case dismissed on summary judgment.

Dollars Saved: Difficult to determine. Plaintiff's settlement demand was \$150,000.

Description: Plaintiff, a former inmate at the County Department of Corrections, was being transported from Rikers Island to Westchester County when the County van collided with a livery cab driver in Queens County. Plaintiff alleged that he was not provided the opportunity to use a safety restraint which contributed to his injuries in addition to the alleged negligent operation of the County van at the time of the accident. In July 2015, the Court granted the County's motion for summary judgment and dismissed the case against the County and the individual correction officers involved in the accident.

McKelvin v. NYS Office of Children and Family Services and Westchester County

When Initiated: 2014

Current status: Case dismissed as against the County

Dollars saved: Difficult to determine.

Description: Petitioner challenged a decision made by the NYS Office of Children and Family Services that upheld the County's finding of maltreatment. The County moved to dismiss the proceeding on the grounds that: (i) there was no statutory basis for the instant proceeding as against the County, as the County was not a proper or necessary party to the proceeding; and (ii) the petition did not allege a cause of action as against the County. The Court granted the County's motion to dismiss this matter and all claims against the County were dismissed.

Magnotta v. County of Westchester

When Initiated: 2012

Current Status: Case settled for \$60,000.

Dollars Saved: Difficult to determine. Plaintiff had demanded \$125,000.

Description: Plaintiff, an elderly woman, alleges that she was walking on the grounds of the Kensico Dam Plaza when she was caused to trip and fall over a raised brick paver abutting a concrete walkway near the restrooms. Plaintiff fractured her nose, sprained her left wrist and suffered minor tearing to her rotator cuff, left arm. Due to the inherent risks of litigation, and to avoid further expenses of litigation, the matter was settled by payment of \$60,000.

Motta v. County of Westchester, et al.

When Initiated: 2012

Current Status: Case dismissed.

Dollars Saved: Difficult to determine. Plaintiff was seeking millions of dollars in compensatory punitive damages.

Description: Plaintiff alleged that, while he was participating in a 9/11 Tribute Ride with other motorcyclists traveling southbound on the NYS Thruway, the motorcycle he was operating was struck by a vehicle entering the NYS Thruway in Rockland County, causing him to sustain injuries, including the loss of his leg. Plaintiff claimed that his accident was caused by the negligence of the County Department of Public Safety in its failure to control traffic, including failing to close the entrance ramps to the NYS Thruway, failing to provide proper protection from other motor vehicles on the NYS Thruway and failing to properly escort the 9/11 tribute ride. The County moved for summary judgment to dismiss the case on the grounds that the Westchester County police officers who assisted with the 9/11 Tribute Ride neither caused, nor contributed to the happening of the accident involving plaintiff and that the NYS Thruway was not under the control, nor jurisdiction of the County and its Department of Public Safety. The County also moved to dismiss upon the grounds that in terms of any policing decisions that were made during the 9/11 Tribute Ride, the County had no special relation with plaintiff and therefore did not owe plaintiff a duty to prevent the within traffic accident from happening. The court granted the County's motion and dismissed the action against the County.

Pichardo v. County of Westchester and GPS Industries

When Initiated: 2013

Current Status: Case settled for \$70,000.

Dollars Saved: Difficult to determine. Plaintiff had demanded \$325,000.

Description: Plaintiff was an independent contractor hired by GPS Industries to work on the GPS system at Saxon Woods Golf Course. Plaintiff alleged that he used a ladder provided to him by County personnel to access GPS antennae on the roof of the clubhouse when the ladder slipped out from under him. Plaintiff claims that as a result, he fell onto the flat portion of the roof and sustained multiple injuries, including back disk herniation, a tear to his left ACL, shoulder injury, and nerve damage. Plaintiff sued the County under the strict provisions of the NYS Labor Laws. Through the process of formal mediation, the plaintiff settled his claim against the County for \$70,000.

Pinker v. Westchester County and POMCO, Inc.

When Initiated: 2013

Current Status: Case settled for \$223,428.

Dollars Saved: \$373,613.10 was demanded in Complaint plus costs of litigation.

Description: The Complaint alleged that Plaintiff, an out of network treatment provider, was wrongfully denied payment for certain medical treatments/services provided to Westchester County employees pursuant to the Westchester County Health Care Benefits Plan. During the course of discovery this case settled for \$223,428, with a full release from liability.

Rodriguez v. Board of Elections, et al.

When Initiated: 2015

Current Status: Case dismissed.

Dollars Saved: Difficult to determine.

Description: Petitioner sought an order pursuant to the New York State Election Law declaring null and void, every nomination for village office of the Village of Sleepy Hollow Democratic Party Caucus held on January 21, 2015. The County Board sought dismissal of the petition because petitioner failed to verify the petition. The Court agreed and the petition was dismissed.

Servelli v. County, et al.

When Initiated: 2007

Current Status: Defense verdict after jury trial.

Dollars saved: Difficult to determine. Plaintiff claimed to have suffered traumatic brain injury with significant residual injuries.

Description: Plaintiff commenced this action against the owner and driver of a tractor trailer on the Central Westchester Parkway, the driver of an automobile who occupied the lane the tractor trailer tried to merge into, and the County for failing to post adequate signs to warn oversized vehicles. Plaintiff was operating a motorcycle at the time of his accident. When the tractor trailer got stuck under an overpass the plaintiff claimed he was faced with an emergency situation which caused him to crash into the back of one of the vehicle stuck on the roadway. The County tried the case to verdict and won.

Simmons v. Westchester County Department of Social Services

When Initiated: 2015

Current Status: All three proceedings dismissed.

Dollars Saved: Difficult to determine.

Description: Petitioner commenced three separate proceedings as against the County, challenging three separate decisions rendered by the New York State Office of Temporary and Disability Assistance regarding public assistance benefits. The County moved to dismiss each of the three the proceedings because: (i) there was no statutory basis for the proceedings as against the County, and thus, Petitioner failed to state claims against the County; (ii) the County was not a necessary or proper party to the proceedings; and (iii) Petitioner failed to name a necessary party to the proceedings, namely New York State. The Court granted all three of the County's dismissal motions.

Streng v. Board of Elections, et al.

When Initiated: 2015

Current Status: Case dismissed.

Dollars Saved: Difficult to determine.

Description: Petitioner sought an order pursuant to New York State Election Law directing the County Board of Elections to conduct a second drawing to determine the ballot position of Petitioner and Respondent Brandon R. Sall, for nomination of the Democratic Party for the position of Judge of the Westchester County Surrogate's Court, in the Primary Election to be held on September 10, 2015; and restraining and enjoining the Board from printing and placing the names of Petitioner and Respondent Sall upon the official ballot of the Primary Election in accordance with the drawing held on August 6, 2015. The Board challenged the petition. The Court agreed with the Board and held that the Board complied with the notice provisions of Election Law § 7-116(3). The petition was dismissed.

Westerly Realty Corp. vs. County of Westchester, et al.

When Initiated: 2011

Current Status: Case dismissed.

Dollars Saved: Difficult to determine. Plaintiff claimed damages of approximately \$90,000.
Description: Plaintiff claimed that it sustained property damage to its business premises when untreated wastewater entered his facility through the floor drains and plumbing fixtures. Plaintiff claimed that the County negligently designed, maintained, and allowed excessive use of its sanitary trunk line servicing the premises. After the completion of discovery, the County moved for summary judgment. The Court granted the County's motion and dismissed the case.

Williams v. County of Westchester, et al.

When initiated: 2011
Current status: Case settled for \$50,000.
Dollars Saved: Difficult to determine. Plaintiff claimed traumatic brain injury and extensive in-patient rehabilitation.
Description: Plaintiff crossed a County roadway to enter school grounds and was hit by a truck. The case against school district and the town were dismissed by the Court. The truck company settled. The claim against the County was that based on allegations of failure to conduct an adequate traffic study and address the needs of children who may walk to school. Due to the inherent risks of litigation, and to avoid further expenses of litigation, the matter was settled by payment of \$50,000.

Wireless Edge Consultants, LLC v. County of Westchester

When Initiated: 2014
Current Status: Case dismissed.
Dollars Saved: Difficult to determine.
Description: Petitioner sought the annulment of the award of a contract to Pinnacle Towers LLC for the use and operation of an antenna tower and its appurtenant structures located at the Westchester Community College. Petitioner claimed that the County violated the competitive bidding requirements and acted arbitrarily and capriciously when it awarded the license to Pinnacle Towers LLC. The County moved to dismiss the petition because (a) petitioner lacked standing; (b) petitioner failed to name a necessary party; (c) documentary evidence conclusively established a defense to the allegations as a matter of law; and (d) the petition failed to state a claim. The Court granted the County's motion and dismissed the petition.

Zeigler v. Westchester County Department of Public Safety, et al.

When Initiated: 2014
Current Status: Case dismissed.
Dollars Saved: Difficult to determine.
Description: Petitioner commenced this Petition under Article 4 of the CPLR seeking an order annulling Westchester County Taxi and Limousine' Commission's ("WCTLC") determination whereby Petitioners were fined, after a hearing, for violating certain WCTLC Rules and Regulations upon the grounds that Respondent, WCTLC, lacks the statutory authority to regulate for-hire vehicles, drivers, and base stations that do not provide transportation within the County of Westchester.

LOCAL COURT CASES

In the Matter of 450 Saw Mill River Road, Ardsley, NY, Town of Greenburgh

When Initiated: 2015

Current Status: Summons dismissed.

Dollars Saved: Difficult to determine.

Description: The Town of Greenburgh issued a Summons and Appearance Ticket to the County in connection with its elevator at 450 Saw Mill River Road, Ardsley, claiming that the County had to comply with town laws. The Town withdrew the summons.

ARBITRATIONS

COBA ex rel Becvar v Cheverko, et al.

When Initiated: 2015

Current Status: Case dismissed.

Dollars saved: Difficult to determine.

Description: Petitioner sought vacatur of a County Department of Correction medical arbitration award. The County challenged the petition, arguing that (i) the challenged language was part of the arbitrator's path of analysis and therefore beyond judicial scrutiny; (ii) the collective bargaining agreement did not preclude the arbitrator from giving an opinion; and (iii) the petitioner failed to state a cause of action. The Court granted the County's motion to dismiss.

State Division of Human Rights ("SDHR")/Equal Employment Opportunity Commission ("EEOC")/ US Department of Education Office of Civil Rights ("OCR") Matters:

C.H. v. Westchester County District Attorney's Office

When Initiated: 2015

Current Status: Case dismissed.

Dollars Saved: Difficult to determine.

Description: Complainant alleged unlawful discriminatory practice in violation of Title VII of the Civil Rights Act of 1964, as amended, and claimed that he was discriminated against on the basis of his gender and race in connection with the termination of his probationary appointment. Complainant also alleged that his probationary period was terminated in bad faith. The County submitted its position statement. Upon review of the statement and investigation, the SDHR dismissed the complaint.

C.L. vs. Westchester Community College

When Initiated: 2014

Current Status: The charges relating to disability harassment were dismissed and the charges concerning failure to provide reasonable accommodations were resolved by agreement.

Dollars Saved: Difficult to determine.

Description: Complainant alleged that a WCC professor denied her the use of a calculator on exams and that others refused to provide her with extra time to complete exams, resulting in failing grades in three classes. She also claimed that derogatory comments concerning her disability were made in the presence of other students, which rose to the level of disability harassment. Upon submissions by the County, the OCR issued a determination that insufficient evidence existed to establish disability harassment. The College entered into a Resolution Agreement regarding the claims of failure to provide

accommodations, whereby the College issued a withdrawal from the failing classes and allowed the student to retake the classes as an audit student.

K.M. v. County of Westchester

When Initiated: 2013

Current Status: Case dismissed.

Dollars Saved: Difficult to determine.

Description: Complainant alleged unlawful discriminatory practices in violation of the Age Discrimination in Employment Act of 1967 and claimed that she was discriminated against on the basis of her gender and age in connection with the abolition of her position. Complainant also alleged that the abolition of her position was retaliatory. Upon submission of the County’s position statement, and its investigation, the complaint was dismissed.

M.W. v. Westchester County Department of Social Services (Notice of Claim and EEOC Complaint)

When Initiated: 2014

Current status: Case settled by agreement to reinstate Complainant/claimant’s probationary employment.

Dollars Saved: Difficult to determine.

Description: Complainant/claimant claimed that her probationary employment at the County Department of Social Services was terminated in violation of the ADA and that she was discriminated against on the basis of her religion and in violation of Worker’s Compensation law. Case settled by agreement to reinstate Complainant/claimant’s probationary employment.

S.P. v. Westchester County Department of Social Services

When Initiated: 2012 and 2014

Current Status: Cases were consolidated and settled.

Dollars Saved: Difficult to determine.

Description: Complainant commenced two separate matters with the EEOC, alleging discrimination by reason of race, ethnic background and genetic information. These matters were consolidated and successfully resolved by way of a conciliation agreement wherein the Department of Social Services agreed to pay a \$2,000 settlement and to transfer the Complainant to a different work site.

ADMINISTRATIVE MATTERS

In the Matter of P.T., Acting on Behalf of A.T., Infant

When Initiated: 2015

Current Status: Case settled.

Dollars Saved: Difficult to determine.

Description: A.T. was found eligible for the Early Intervention Program (“EIP”) pursuant to the applicable New York State laws. It was alleged that A.T. did not receive specific special education services to which he was entitled under various EIP Individualized Family Service Plans and their amendments. In exchange for a discontinuance of the action and a release from liability, the County agreed to pay a third-party provider an amount not to exceed \$13,800 for the provision of special education services to A.T.

Con Edison Public Service Commission Rate Proceeding

When Initiated: 2015

Current Status: Case settled with the County not submitting opposition to the Settlement Agreement.

Dollars Saved: Zero electricity rate increase to Con Ed residential and commercial customers for 2016.

Description: Con Edison filed an application with the Public Service Commission to increase electricity rates by 7.2% for residential and commercial customers for 2016. The County's direct participation in settlement negotiations, through the Law Department, resulted in a zero electricity rate increase to Con Ed residential and commercial customers for 2016 through the offset of same with customer credits.

Recovery of Medicaid Claims/Liens:

New York Social Services Law enables the County's Department of Social Services ("DSS") to procedurally enforce its substantive right to pursue repayment from the responsible third parties by the placement of a lien for public and medical assistance on personal injury claims and suits against third parties to the extent of the expenditures made on the recipient's behalf. The Social Services Law ("SSL") also authorizes the placement of claims on estate assets for any assistance received by the decedent ten years prior to the date of death. DSS' recovery is realized when the claim of the public assistance recipient is resolved and/or when the estate is settled by the executor or administrator.

In the Matter of A.F.

When Initiated: 2011

Current Status: Resolved.

Dollars Saved: Recovery of \$31,210.39 in Medicaid expenditures.

Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of A.M.

When Initiated: 2015

Current Status: Resolved.

Dollars Saved: Recovery of \$188.45 in Medicaid expenditures.

Description: The County successfully asserted its rights to recover Medicaid monies expended on as a result of an injury in accordance with SSL § 104-b.

In the Matter of A.M.I.

When Initiated: 2014

Current status: Resolved.

Dollars Saved: Recovery of \$4,221.97 in Medicaid expenditures.

Description: The County successfully asserted its rights to recover Medicaid monies expended on as a result of an injury in accordance with SSL § 104-b.

In the Matter of A.O.

When Initiated: 2015

Current Status: Resolved.

Dollars Saved: Recovery of \$7,436.05 in Medicaid expenditures.

Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of A.R.

When Initiated: 2015

Current Status: Resolved.

Dollars Saved: Recovery of \$1,686.85 in Medicaid expenditures.

Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of A.R.

When Initiated: 2014

Current status: Resolved.

Dollars Saved: Recovery of \$4,220.96 in Medicaid expenditures.

Description: The County successfully asserted its right pursuant to SSL §104-b to recover Medicaid expenditures made as a result of a personal injury to the recipient. This amount represents the second reimbursement payment received, following the settlement with a second Defendant in this matter. The first settlement resulted \$23,023.39 being previously recovered on this matter.

In the Matter of A.S.

When Initiated: 2013

Current Status: Resolved.

Dollars Saved: Recovery of \$500.00 in Medicaid expenditures

Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of A.V.

When Initiated: 2015

Current Status: Resolved.

Dollars Saved: Recovery of \$30,000 in Medicaid expenditures

Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of B. R.

When Initiated: 2011

Current Status: Resolved

Dollars Saved: Recovery of \$2319.16 in Medicaid expenditures

Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of C.A.

When Initiated: 2014

Current Status: Resolved
Dollars Saved: Recovery of \$180.33 in Medicaid expenditures
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of C.B.

When Initiated: 2015
Current Status: Resolved.
Dollars Saved: Recovery of \$800 in Medicaid expenditures.
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of C.F.

When Initiated: 2014
Current status: Resolved.
Dollars Saved: Recovery of \$2,500 in Medicaid expenditures.
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of C.W.

When Initiated: 2014
Current status: Resolved.
Dollars Saved: Recovery of \$8,105.49 in Medicaid expenditures.
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of D. A.

When Initiated: 2014
Current Status: Resolved.
Dollars Saved: Recovery of \$281 in Medicaid expenditures
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of D.C.

When Initiated: 2014
Current status: Resolved.
Dollars Saved: Recovery of \$18,894.83 in Medicaid expenditures.
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of D.L.

When Initiated: 2014
Current status: Resolved.
Dollars Saved: Recovery of \$85,424.64 in Medicaid expenditures.

Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of D.S.

When Initiated: 2015
Current Status: Resolved.
Dollars Saved: Recovery of \$15,741.82 in Medicaid expenditures.
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of E.C.

When Initiated: 2014
Current status: Resolved.
Dollars Saved: Recovery of \$3,724.84 in Medicaid expenditures.
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of E. L.

When Initiated: 2013
Current Status: Resolved
Dollars Saved: Recovery of \$32,088.36 in Medicaid expenditures
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of E.N.

When Initiated: 2015
Current Status: Pending
Dollars Saved: Recovery of \$43,000 in Medicaid expenditures
Description: The County successfully asserted its rights to recover Medicaid monies.

Estate of E.O.

When Initiated: 2007
Current Status: Resolved
Dollars Saved: Recovery of \$118,082.13 in Medicaid expenditures
Description: Upon the Surrogate's Court determination, the County was allocated approximately 40% of the net proceeds of a personal injury settlement for the expenditure of Medicaid benefits made on behalf of the decedent.

In the Matter of E.P.

When Initiated: 2011
Current Status: Resolved
Dollars Saved: Recovery of \$1,452.30 in Medicaid expenditures
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of F.G.

When Initiated: 2015

Current Status: Resolved
Dollars Saved: Recovery of \$1,381.70 in Medicaid expenditures
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of F.L.

When Initiated: 2014
Current Status: Resolved.
Dollars Saved: Recovery of \$23,570 in Medicaid expenditures.
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of G.S.

When Initiated: 2013
Current Status: Resolved.
Dollars saved: Recovery of \$200,489.99 in Medicaid expenditures.
Description: The County successfully petitioned the Court to replace the Trustee of a Supplemental Needs Trust and had the Trust terminated pursuant to its terms.

In the Matter of G.W.

When Initiated: 2015
Current Status: Resolved.
Dollars saved: Recovery of \$1,136.48 in Medicaid expenditures.
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

In the Matter of I.C.

When Initiated: 2013
Current Status: Resolved.
Dollars saved: Recovery of \$33,762.23 in Medicaid expenditures.
Description: The County successfully asserted its rights to enforce a Medicaid lien against surplus monies left over from the foreclosure sale of a property.

In the Matter of L.M.

When Initiated: 2014
Current status: Resolved.
Dollars Saved: Recovery of \$19,172.61 in Medicaid expenditures.
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

In the Matter of J.A.

When Initiated: 2014
Current status: Resolved.
Dollars Saved: Recovery of \$1,750 in Medicaid expenditures.

Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

In the Matter of J.C.

When Initiated: 2014

Current status: Resolved.

Dollars Saved: Recovery of \$95.92 in Medicaid expenditures.

Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

In the Matter of J.H.

When Initiated: 2014

Current Status: Resolved

Dollars Saved: Recovery of \$504 in Medicaid expenditures and \$1,779 in Public Assistance expenditures

Description: The County successfully asserted its rights to recover Medicaid and Public Assistance monies expended on behalf of program participation as a result of an injury in accordance with SSL § 104-b.

In the Matter of J.M.

When Initiated: 2014

Current status: Resolved.

Dollars Saved: Recovery of \$38,666.98 in Medicaid expenditures.

Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

In the Matter of J.M.

When Initiated: 2014

Current status: Resolved.

Dollars Saved: Recovery of \$2,532.52 in Medicaid expenditures.

Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

In the Matter of J.R.

When Initiated: 2014

Current status: Resolved.

Dollars Saved: Recovery of \$430,597.78 in Medicaid expenditures.

Description: The County successfully asserted its right pursuant to SSL §104-b to recover Medicaid expenditures made as a result of a personal injury to the recipient. This matter also involved the review and negotiation of the terms of a Supplemental Needs Trust.

In the Matter of L.K.

When Initiated: 2014

Current Status: Resolved

Dollars Saved: Recovery of \$203.33 in Medicaid expenditures

Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

In the Matter of L. T.

When Initiated: 2014
Current Status: Resolved
Dollars Saved: Recovery of \$ 640. 83 in Medicaid expenditures
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

In the Matter of M.K.

When Initiated: 2014
Current status: Resolved.
Dollars Saved: Recovery of \$2,362.82 in Medicaid expenditures.
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

In the Matter of M.M.

When Initiated: 2014
Current Status: Resolved
Dollars Saved: Recovery of \$15,570.92 in Medicaid expenditures
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

In the Matter of M.V.

When Initiated: 2009
Current Status: Resolved
Dollars Saved: Recovery of \$4,353.19 in Medicaid expenditures
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

In the Matter of R.A.

When Initiated: 2015
Current Status: Resolved
Dollars Saved: Recovery of \$190.91 in Medicaid expenditures
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

In the Matter of S.C.

When Initiated: 2013
Current Status: Resolved
Dollars Saved: Recovery of \$8,570.22 in Medicaid expenditures and \$4,209 in Public Assistance expenditures
Description: The County successfully asserted its rights to recover Medicaid and Public Assistance monies expended as a result of an injury in accordance with SSL § 104-b.

In the Matter of S.C.

When Initiated: 2014
Current status: Resolved.
Dollars Saved: Recovery of \$4,827.35 in Medicaid expenditures.

Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

In the Matter of S. D.

When Initiated: 2014
Current Status: Resolved
Dollars Saved: Recovery of \$3,500.00 in Medicaid and Public Assistance expenditures
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

In the Matter of S. V.

When Initiated: 2014
Current Status: Resolved
Dollars Saved: Recovery of \$2,504.76 in Medicaid expenditures
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

In the Matter of V.G.

When Initiated: 2014
Current Status: Resolved.
Dollars Saved: Recovery of \$329.14 in Medicaid expenditures.
Description: The County successfully asserted its rights to recover Medicaid monies expended as a result of an injury in accordance with SSL §104-b.

Estate of W. L.

When Initiated: 2014
Current Status: Resolved
Dollars Saved: Recovery of \$140,557.83 Medicaid expenditures
Description: Upon the Surrogate's Court determination the County received \$140,557.83 from the decedent's estate in accordance with Social Services Law.

In the Matter of Z.A.

When Initiated: 2014
Current status: Resolved.
Dollars Saved: Recovery of \$173.83 in Medicaid expenditures and \$16,792.25 in Public Assistance expenditures.
Description: The County successfully asserted its rights to recover Medicaid and Public Assistance monies expended as a result of an injury in accordance with SSL §104-b.

ONGOING

Various Boards

Provide legal advice to the Westchester County Ethics Board, Plumbing Board of Examiners, and Electrical Licensing Board, including attendance at Board meetings.

Collection matters

Provide legal advice to the departments of Health, Solid Waste Commission, and Consumer Protection in connection with the collection of fines imposed.

Freedom of Information Law (FOIL) Advisement

Provide FOIL advisement to all County departments, boards, and commissions.

Personnel and policy issues

Provide legal advice to all County commissioners/department heads, boards, and commissions on personnel and policy issues.

Public Improvement Liens

Provide legal advice to the Departments of Public Works and Transportation and Finance in connection with liens filed on public improvement projects.

Public Safety Civil Unit

Provide legal advice to the Department of Public Safety's Civil Unit in connection with eviction warrants, arrest warrants, orders of attachment and seizures and property executions.

Supplemental Needs Trusts

Review special needs trusts submitted to the County Department of Social Services to ensure compliance with New York Social Services Law and Medicaid.

Wage Garnishments/Court and Trust Funds

Provide legal advice to the Department of Finance and College in connection with wage garnishments of County employees and the release of Court and Trust funds.

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Family Court Bureau

Name of Matter: Westchester County Child Fatality Review Team (CFRT)

When Initiated: January 1, 2006

Current Status: August 2013, successfully applied for an additional \$52,066 to extend the term of the CFRT Coordinator. Coordinator hired in April 2011.

Dollars Saved: Grant will relieve current staff of coordination responsibilities. Grant supports public information regarding child deaths and prevention of future child deaths. **Description:** The mission of the CFRT is to improve the safety and well-being of children by changing systems that are failing to protect children. A secondary mission is to educate the public about how children die. This is accomplished through a collaborative effort by government and community based agencies. The emphasis of the CFRT is a team approach to review child fatalities, review processes and history of the family with WCDSS, and to implement practices aimed at preventing future deaths.

Name of Matter: Westchester County Multi-Disciplinary Team (MDT)/CAC

When Initiated: May 2004

Current Status: Active. Established an OCFS accredited MDT in early 2009. Received CAC accreditation from the National Children's Alliance and NYS OCFS in late 2009. Forensic interview training received during 2012.

Dollars Saved: The Westchester County MDT seeks to reduce trauma to child victims of abuse by ensuring that allegations of child sexual and/or physical abuse are investigated in a collaborative fashion. Collaborative sex abuse investigations eliminates duplication of efforts and ensures successful Family Court prosecution thereby decreasing the amount of monies expended by Westchester County for investigation and prosecution of child sex abuse matters.

Description: The Westchester County MDT members include the District Attorney's office, the County Attorney's office, Victim's Assistance Services, local police jurisdictions and DSS. It also includes the Children's Advocacy Center, and works collaboratively with the CAC to ensure timely case reviews, case tracking and joint investigations.

Name of Matter: Training Initiative –Westchester County Department of Probation

When Initiated: January 2008

Current Status: Ongoing

Description: In an effort to have juvenile matters identified properly and treated appropriately the Family Court bureau attorneys continue to work with and train probation officers as a need is identified, and remain in continuous contact the probation department.

Name of Matter: Training Initiative – Local Police Departments in Westchester County

When Initiated: January 2007

Current Status: Ongoing

Description: In an effort to have juvenile matters identified properly and treated appropriately the Family Court bureau attorneys continue to train local police departments as a need is identified, and remain in continuous contact with the youth police officers in the larger police jurisdictions.

Name of Matter: Westchester County Attorney advising DSS in District Offices

When Initiated: March 2007

Current Status: Active

Dollars Saved: Not Applicable

Description: The CAO currently provides legal services at the DSS District Offices. These services include staffing at the DO's, and lunch and learn trainings as well as monthly meetings with senior DSS staff to review ongoing concerns.

Name of Matter: Westchester County Attorney collaboration with Project Impact (Integrated Municipal Police Anti-Crime Teams)

When Initiated: March 2010

Current Status: Active

Dollars Saved: Not Applicable

Description: IMPACT is a collaboration of partners that include the Westchester County District Attorney's Office, Westchester County Attorney's Office, NYS Department of Corrections & Community Supervision (Parole), Westchester County Probation, NYS Liquor Authority, Westchester County Police, NYS Police, New Rochelle Police, Greenburgh Police Department, White Plains Police Department and the US Attorney's Office. The partnership allows for coordination and information sharing between local, state and federal law enforcement agencies in their unified effort to address illegal guns, gangs, drug crimes, and violent youth offenses.

Name of Matter: Paperless Project

When Initiated: May 2012

Current Status: Active

Dollars Saved: This initiative will save money and time by reducing expense created by copying and storage of unnecessary documents.

Description: The Family Court initiates hundreds of cases each year and these proceedings generate thousands of pages that must be copied and stored. Many of these documents are needed by the attorneys and DSS throughout the proceedings. Commencing in May, 2012 the Family Court Bureau has partnered with IT to facilitate scanning and ensuring that all documents are scanned and that they are accessible to the staff at their work stations.

Name of Matter: Training Initiative – The County Attorney Association of New York, the New York Association of Counties

When Initiated: January 2015

Current Status: Ongoing

Dollars Saved: Not Applicable

Description: In an effort to have juvenile delinquency matters prosecuted and treated appropriately the Family Court bureau attorneys have collaborated with Albany County Attorney's Office, The County Attorney Association of New York, the New York Association of Counties, and the Albany County Bar Association to provide training for county attorneys and local police departments.