

Department of Law
Office of the County Attorney

2014 Budget Presentation

Robert F. Meehan
County Attorney

Robert P. Astorino
County Executive

Ken Jenkins, 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 2013 is \$11,036,273. The 2014 Law Department Budget proposes an expense budget of \$11,200,132, which is an increase of \$163,859 over the 2013 Adopted Budget. Our 2014 Budget proposes a negative tax levy of (-3,460,246).

Expenditures

Annual Regular (1010)

The 2014 Requested is \$99,589 is an increase from our 2013 Adopted Budget. This includes the same number of positions. This increase is due to contractual increases and increment advancements.

Hourly (1200)

The 2014 Requested for our hourly account is increased \$20,000.

Overtime (1400)

The 2014 Requested is \$500 which is the same as our 2013 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 2014 Requested is a decrease of \$20,000 from our 2013 Adopted Budget.

Printing & Office Supplies (3600)

The 2014 Requested is a decrease of \$1,850.00 from our 2013 Adopted.

Postage Cost (3700)

The 2014 Requested is a decrease of \$3,200 from our 2013 Adopted Budget.

Equipment Service & Rental (4070)

The 2014 Requested is a decrease of \$560 from our 2013 Adopted Budget

Membership Fees (4100)

The 2014 Requested is the same as our 2013 Adopted Budget.

Travel & Meals (4110)

The 2014 Requested is the same as our 2013 Adopted Budget.

Telephone Expense (44160)

The 2014 Requested is a decrease of \$4,550.00 from our 2013 Adopted Budget.

OSHA Safety Program (4225)

The 2014 Requested is same as the 2013 Adopted Budget.

Educational Training (4360)

The 2014 Requested is the same as our 2013 Adopted Budget.

Technical Services (4420)

The 2014 Requested is an increase of \$9,500.00 from the 2013 Adopted Budget. This expense includes the cost of the Labor Negotiator and Arbitrators. The breakdown of arbitration cases is as follows: 90% of our arbitration fees are attributable to contract grievance and disciplinary arbitrations held with COBA and its members (the other ten percent are attributable to PBA and CSEA contract grievances). In the case of 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. In 2011, the union threshold was met in mid-February. The increase in the number of arbitration dates can be attributed to several factors: 1) the expiration of the COBA and PBA contracts; 2) the limit on the number of COBA disciplinary arbitrations has been raised by agreement from 3 to 5 per month.

Litigation (4923)

The 2014 Requested of \$369,000 is \$8,575 decrease from the 2013 Adopted Budget. The amount requested for this account is as a result of a number of negotiated renewals.

Interdepartmental Charges

The 2014 Requested Budget is an increase of almost \$75,005 from the 2013 Adopted Budget. This is due largely to a increase in the amount that IT charges for services, Data Processing charges and charges for the Record Center storage.

Revenue

The Law Department's hourly rate charged to all County departments for law services for the current year is \$147.00. The calculated rate for 2014 budget is \$151.00. 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 2014 allowed figure for Interdepartmental revenue for the Law Department is \$11,063,286. This is represents an increase of approximately \$266,834 over 2013 estimates.

Departmental Revenue

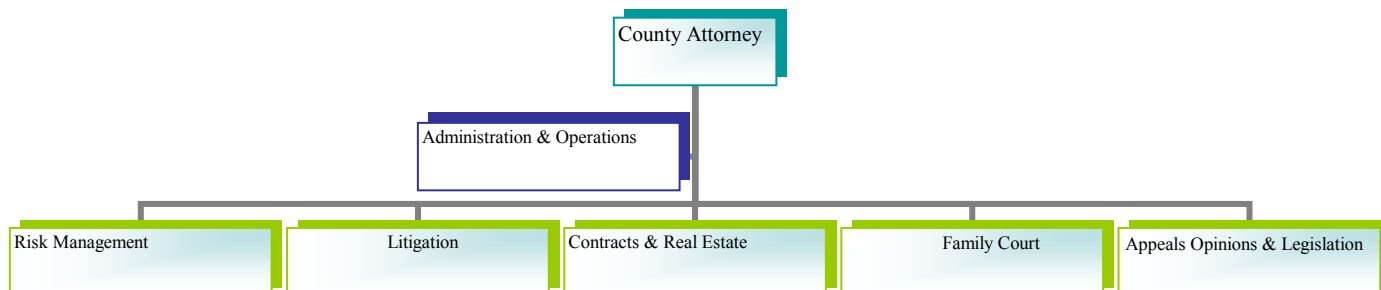
The 2014 allowed revenue figure for Departmental revenue is \$2,845,142.

This is an increase of \$151,514 from 2013 estimates due to an increase in billable hours to Risk Management, Environmental Facilities and Westchester Community College.

The increases in to Interdepartmental revenue are due to the higher attorney hourly rate.

Introduction

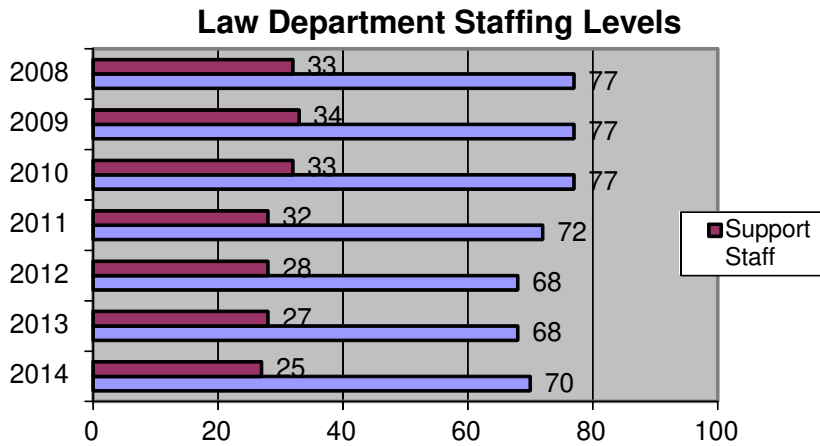
The structure of the Law Department reflects the constant striving to fulfill its duties and responsibilities in the most efficient and responsible manner possible. The Law Department is divided into four bureaus, each of which is focused on the different components of the “Operation of the Law Department”. 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 2014 has remained the same for a total of 95 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):



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	9
Senior Assistant County Attorney	18
Assistant County Attorney	38
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. Info Systems Clerk	1
Office Asst. Word Processing	1
Staff Assistant (Risk Management)	1
Legal Secretary II	5
Legal Secretary I	7
Docket and File Clerk	1
Receptionist	1
Total	95

Administration

County Attorney	1
Special Assistant to County Attorney	1
Executive Secretary to County Attorney	1
Receptionist	1
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Appeals, Opinions

Chief Deputy County Attorney	1
Associate County Attorney	2
Sr. Assistant County Attorney	1
Assistant County Attorney	1
Legal Secretary II	1
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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 Systems Clerk	1
Legal Secretary I	2
Office Assistant Word Processing	1
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Litigation Bureau

Asst Chief Deputy County Attorney	1
Associate County Attorney	3
Sr. Assistant County Attorney	8
Assistant county Attorney	9
Paralegal	2
Legal Secretary II	1
Legal Secretary I	4
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Contracts Bureau

Asst Chief Deputy County Attorney	1
Associate County Attorney	2
Sr. Assistant County Attorney	2
Assistant County Attorney	7
Legal Secretary II	1
Legal Secretary I	1
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Risk Management

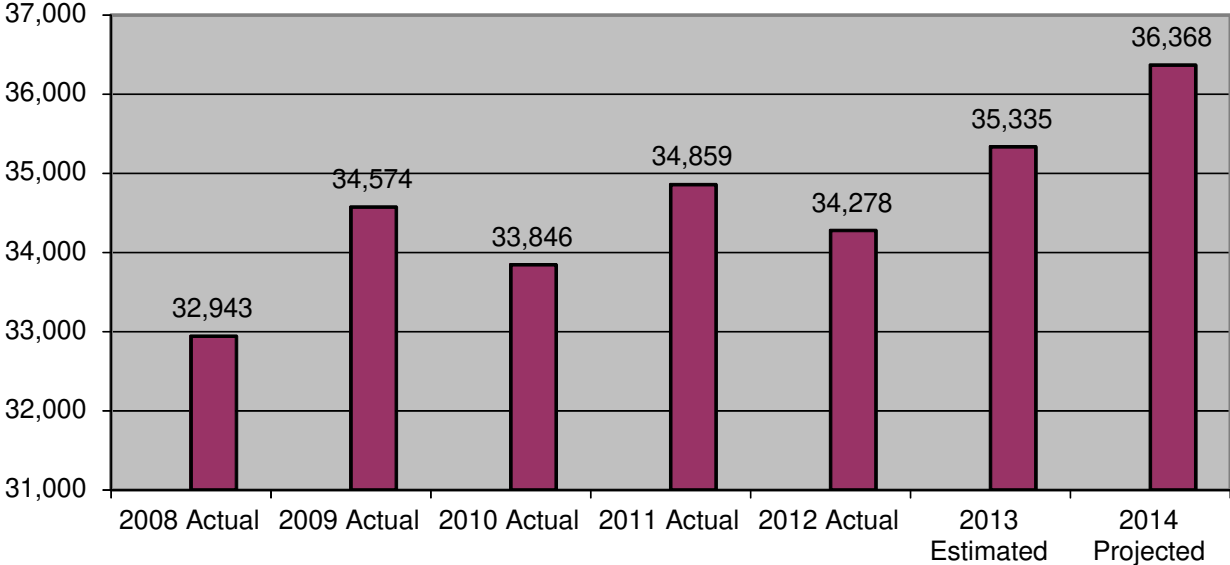
Director of Risk Management	1
Sr. Risk Management Analyst	1
Risk Management Analyst	1
Staff Assistant (Risk Management)	1
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The 2014 Law Department Budget shows a continued staffing level of 95 total staff; however, the number of cases continues to increase along with the complexity of the matters handled by the Law Department. Very often, the most complicated matters are also the most time sensitive. Managing these matters requires maximum effort and commitment by staff, with concomitant strain on personnel. The results of these efforts show in the number of notable successes achieved thus far in 2013 by the Office of the County Attorney. 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.

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>2011 Actual</i>	<i>2012 Actual</i>	<i>2013 Estimated</i>	<i>2014 Projected</i>
Litigation	3,619	3,887	4,049	4,183
Appeals	1,740	1,770	1,790	1,790
Contracts	11,567	10,803	11,436	11,550
Family	17,933	17,818	18,060	18,845
Grand Total	34,859	34,278	35,335	36,368

The Law Department generates two separate revenue streams:

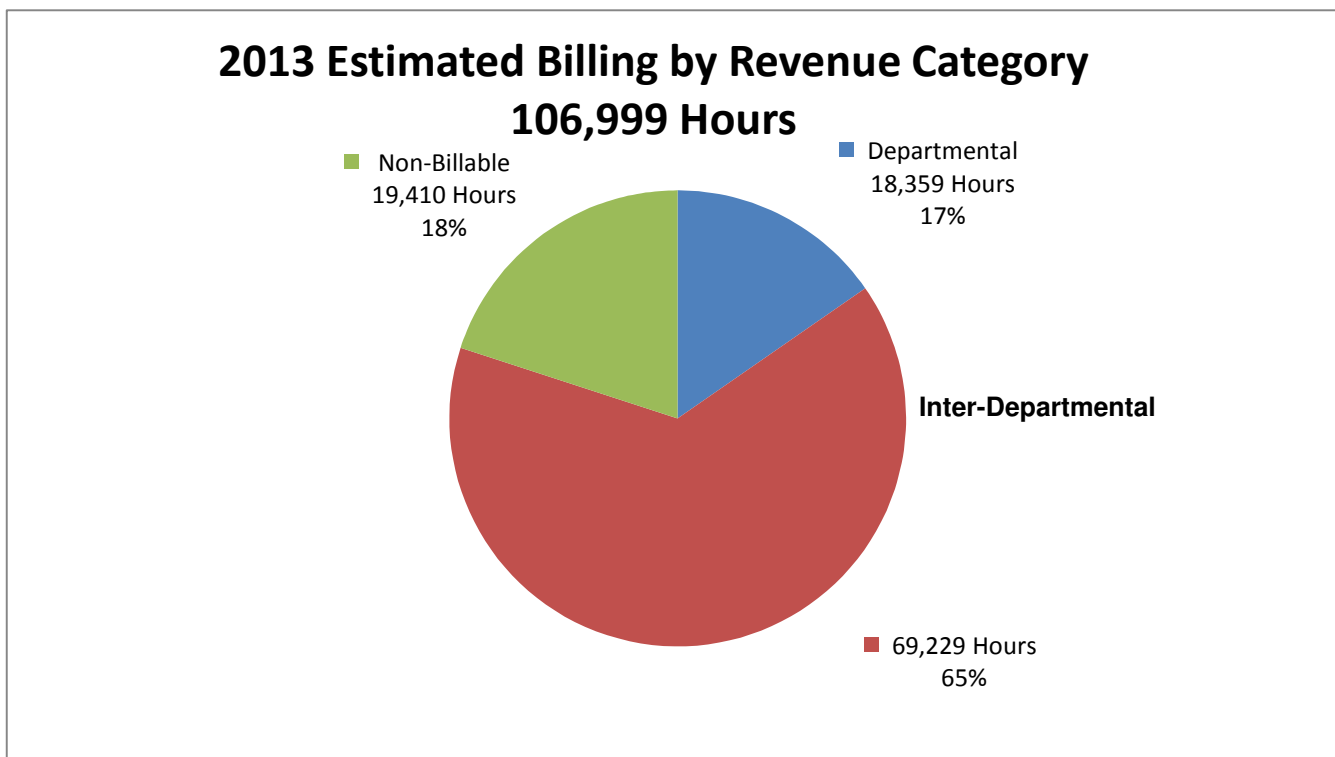
- Departmental revenues are generated through charges billed to other funds including the 6-N Fund, Sewer, Water, and Refuse Disposal District Funds and the Westchester Community College Fund. This billing is generated as a result of legal services that are provided by the Law Department to these entities.

- 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 2013 fiscal year is \$147.00 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

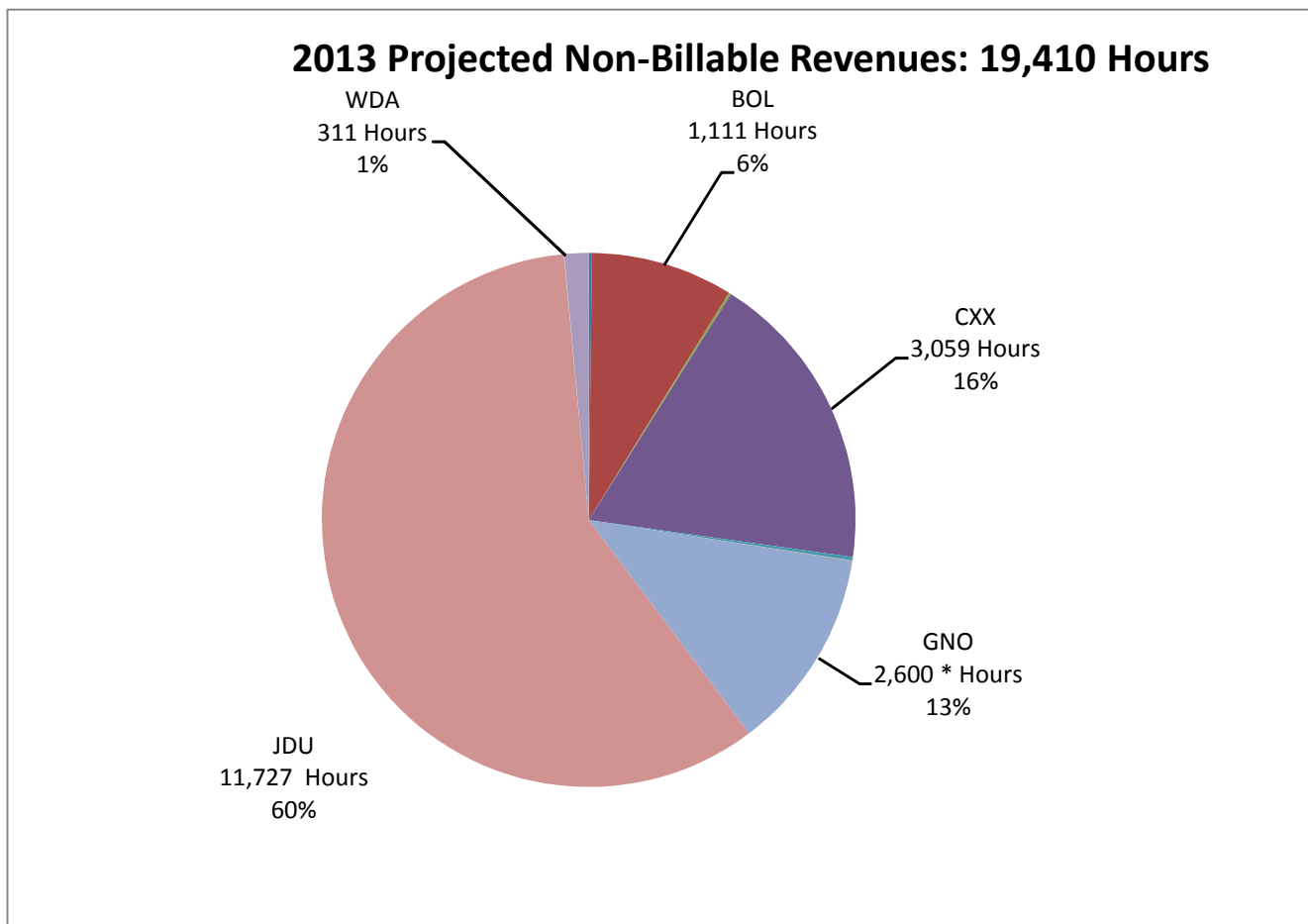


As indicated by the above chart approximately 18% of the Law Department service hours are not billable. This equates to approximately 19,410 hours of client services. This includes services provided to elected officials including the offices of the County Executive, the Board of Legislators and the District 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 65% of the attorneys' work time or approximately 69,229 hours for the 2013 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 18,359 hours on Departmental matters for the 2013 fiscal year or 17%.

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



BAC-96 Hours TXX-126 Hours VOP-1 Hours WCHCC-3 Hours CRC-47 IDA-16 PPI-239

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

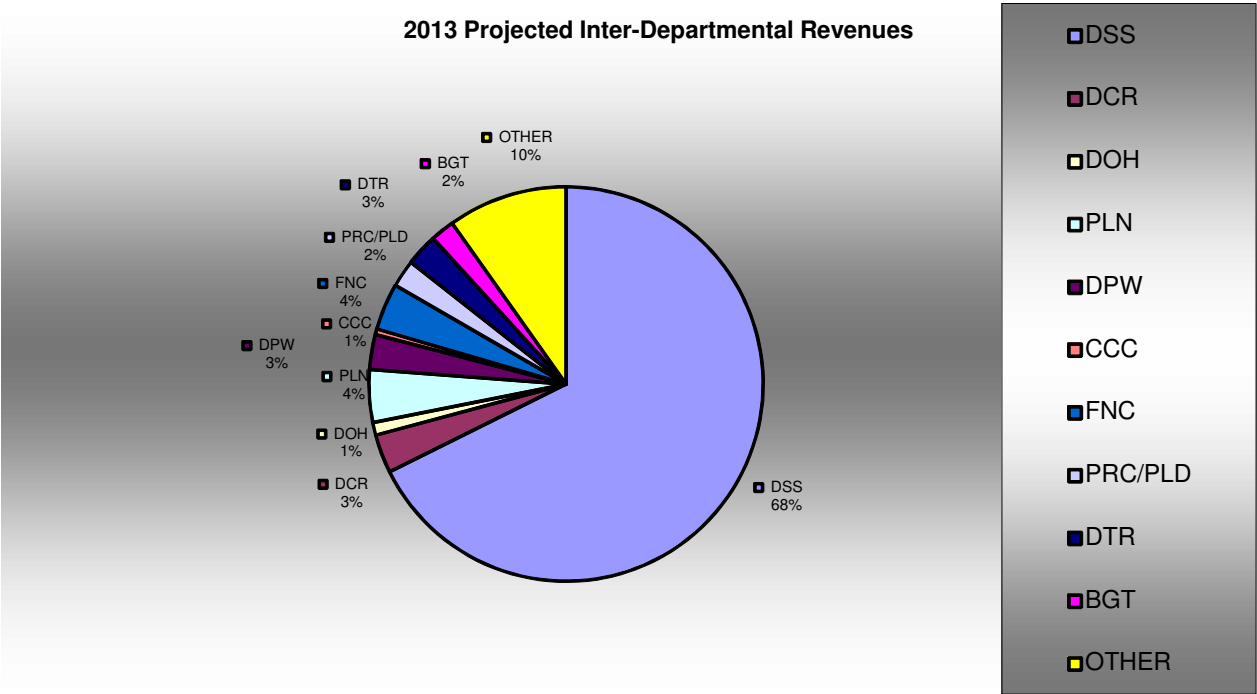
Please be advised that this number represents only the work performed for the BOL by attorneys required to bill for their time. This number does not include the hours devoted to BOL work handled by the Assistant Chief Deputy County Attorneys, the Chief Deputy County Attorney and the County Attorney who 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 6% to approximately 19% of the total number of non-billable revenue.

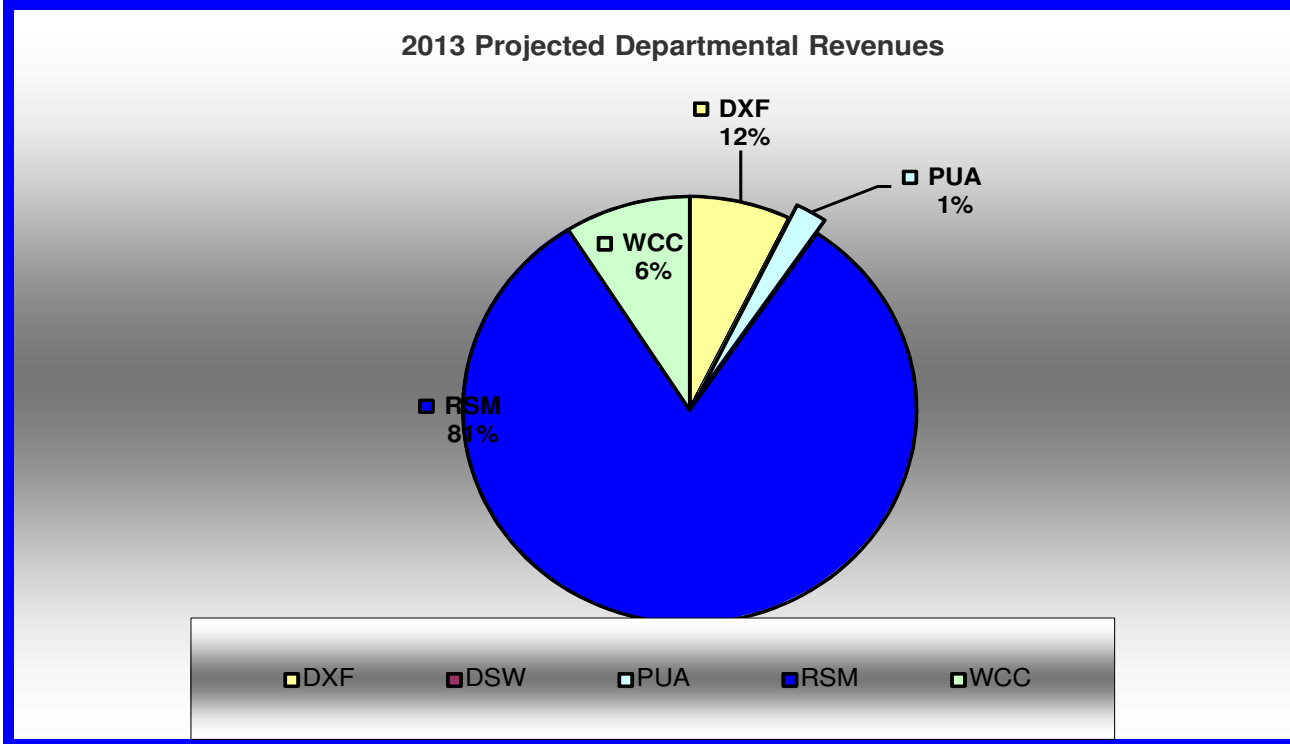
For the fiscal year that will end December 31, 2013 the Law Department is projecting to provide approximately 87,588 hours of billable client services, yielding over \$12,875,436 from both revenue streams: Inter- Departmental and Departmental. If the number of hours for non-billable services is included, then the number of hours for the year increases to approximately 106,999 hours

Moreover in 2014, in addition to the usual workload, including that reflected in the highlights of law department accomplishments for 2013 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 2013 is charted below.



The projected breakdown of the Departmental revenues for 2013 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

	2012 Actual	2013 Estimated	2014 Projected
General Liability	168	164	165
Automobile Liability	32	42	35
Medical Malpractice *	20	20	20
Medical Malpractice WMC	8	10	10
Third Party Recoveries	\$515,000	\$300,000	\$300,000
Driver Abstracts Reviewed	4,976	4,900	4,900
Contracts Reviewed	4,150	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.

Law Department Accomplishments 2013

Appeals, Opinions and Legislation Bureau**Appeals:****Name of Accomplishment:** Lazzari v. Town of Eastchester**When Initiated:** 2010**Current Status:** Completed**Description:** Appeal from Supreme Court Order denying Article 78 Petition of Town challenging determination of the Department of Human Resources directing reinstatement of Town employee pursuant to Section 71 of the Civil Service Law. Affirmed by Decision and Order of the Second Department entered August 2, 2011.

Leave to appeal to the Court of Appeals granted by Order entered November 22, 2011. The matter has been fully briefed, oral argument was heard before the Court of Appeals on October 10, 2012. By Decision and Order of the Court of Appeals entered November 27, 2012, the Order of the Appellate Division was affirmed.

Name of Accomplishment: Matter of COBA v. Cheverko**When Initiated:** 2011**Current Status:** Pending**Description:** In two separate proceedings commenced in the Supreme Court Westchester County, COBA sought to confirm an Arbitrator's award of General Municipal Law Section 207-c benefits to seven of its members. The County cross-petitioned in each of the two proceedings seeking to vacate those awards because the Arbitrator failed to address the issue of whether or not the service related injuries sustained by the Correction Officers at issue were disabling. By Decisions and Orders, entered on March 15, 2012 and March 29, 2012, the Supreme Court granted COBA's petitions, confirmed the arbitration awards at issue and denied the County's cross-petitions. The County appealed from the foregoing Decisions and Orders by Notices, dated April 6, 2012. The matters have been fully briefed in the Second Department, oral argument was heard on October 4, 2013 and the Decisions are pending.**Name of Accomplishment:** Williams v. County of Westchester**When Initiated:** 2007**Current Status:** Completed**Description:** The Plaintiff was the operator and sole occupant of an automobile that struck a tree on the shoulder of the southbound Bronx River Parkway in the vicinity of mile marker 1.3 during a heavy rainstorm. The Plaintiff has no recollection of the accident and sustained severe injuries. The Plaintiff commenced an action in the Supreme Court, Westchester County alleging the County negligently maintained the Bronx River Parkway. The County moved for summary judgment asserting that the Plaintiff had failed to present any non-speculative proof of the event that precipitated the loss of control of his automobile. By Decision and Order, entered October 25, 2011, the Supreme Court granted the County's motion for summary judgment. By Notice, dated November 4, 2011, the Plaintiff appealed from the foregoing Decision and Order. The matter was fully briefed and argued in the Second Department. By Decision and Order entered February 20, 2013, the Order of the Supreme Court was affirmed.

Name of Accomplishment: Mylasia P. and Isaiah P.

When Initiated: 2011

Current Status: Completed

Description: Appeal from an Order of Fact-Finding and Disposition of the Family Court, Westchester County, entered September 7, 2011, which found that Appellant neglected Mylasia P. and Isaiah P. Appellant appealed to the Second Department, and sought vacature of the Neglect Order and dismissal of the underlying petition, arguing that: (1) the neglect proceeding was barred by the doctrine of collateral estoppel; (2) the Family Court abused its discretion in ordering a mistrial; and (3) the Family Court erred in basing its finding of neglect solely on Appellant's refusal to take Mylasia back into her home. The matter was fully briefed in the Second Department and the Family Court's Order was affirmed by Decision and Order entered March 20, 2013.

Name of Accomplishment: Matter of Robert Jordan G.

When Initiated: 2011

Current Status: Completed

Description: Appeal from an Order on Approval of Instrument of Conditional Surrender of the Family Court, Westchester County, entered March 10, 2011, which, among other things, approved the Appellant's conditional surrender of parental rights to his son, Robert Jordan G. Appellant appealed to the Second Department, and sought reversal of the March Order, arguing that the Family Court erred, abused its discretion, and deprived Appellant of due process by approving the conditional surrender without testing Appellant's capacity through psychological counseling. The matter was fully briefed in the Second Department and the Family Court's Order was affirmed by Decision and Order entered July 5, 2012. Appellant sought leave to appeal to the Court of Appeals, which denied leave on November 20, 2012.

Name of Accomplishment: Matter of Bocek v. Lauro

When Initiated: 2012

Current Status: Completed

Description: Petitioner is a former DEF employee who was terminated, following an administrative hearing, for the unauthorized use of a County credit card. The Petitioner commenced an Article 78 proceeding seeking judicial review of the foregoing determination in the Supreme Court, Westchester County. The matter was transferred to the Second Department by Decision and Order entered August 1, 2012. The matter was fully briefed and argued in the Second Department. By Judgment entered March 27, 2013, the determination of the DEF Commissioner was confirmed and the petition was dismissed.

Name of Accomplishment: DiGiacomo v. County of Westchester

When Initiated: 2010

Current Status: Pending.

Description: Appeal from Supreme Court Order and Judgment entered after a jury trial finding that the Hearing Loss suffered by the Plaintiff Appellant, a retired Harrison Police Officer, was not casually related to a backfiring motor on a cherry-picker operated by the Office of the District Attorney. The matter has been fully briefed in the Second Department and awaits the scheduling of oral argument.

Name of Accomplishment: Matter of Mashlai D.M.

When Initiated: 2012

Current Status: Completed

Description: Appeal from an order of the Family Court finding Appellant in violation of a suspended judgment regarding permanent neglect of her child and terminating her parental rights. The matter was fully briefed in the Second Department and the Family Court order affirmed by Decision and Order entered October 9, 2013.

Name of Accomplishment: Matter of Tsulyn A.

When Initiated: 2013

Current Status: Decision Pending in the Appellate Division, Second Department.

Description: Appeal from two permanency hearing orders of the Family Court extending the subject child's kinship foster care placement and extending the goal of adoption.

Name of Accomplishment: Matter of COW Commissioner of Social Services o/b/o Pauline May B. v. Arnaldo B.

When Initiated: 2013

Current Status: Decision Pending in the Appellate Division, Second Department.

Description: Motion by the attorney for the children for leave to appeal an order of the Family Court denying the request of the children and Respondent for Genetic Marker Tests to determine whether Respondent is the children's biological father.

Name of Accomplishment: Servelli v. County of Westchester

When Initiated: 2007

Current Status: Pending.

Description: Appeal from an interlocutory Order of the Supreme Court, Westchester County granting summary judgment to the County of Westchester. The Plaintiff-Appellant motorcyclist struck a car which had stopped behind an over-height truck which became lodged underneath the George Washington Elementary School pedestrian bridge over the Central Westchester Parkway. Plaintiff-Appellant maintains there was a genuine issue of material fact as to whether the signage warning of the low clearance was adequate. The matter has been fully briefed in the Second Department and awaits the scheduling of oral argument.

Name of Accomplishment: Matter of China C.

When Initiated: 2010

Current Status: Pending.

Description: Appeal from a Decision and Order of the Family Court finding that the Respondent-Appellant Mother had neglected her three children. DSS introduced proof at the trial that the Children were filthy, malodorous and dressed in dirty undergarments, and were living in a filthy, garbage-strewn, insect infested apartment that was virtually unfurnished and in which there was almost no edible food. The matter awaits the filing and service of the Mother's Reply Brief (if any), and the scheduling of oral argument.

Name of Accomplishment: Matter of Alexis S.

When Initiated: 2010

Current Status: Pending.

Description: Appeal from a Decision and Order of the Family Court finding that the Respondent-Appellant Father had sexually abused and neglected his ten year-old daughter and further finding he had thereby derivatively neglected her younger siblings. By his Appellant's Brief, the Father alleges that the testimony of DSS's expert witness was insufficient to corroborate Alexis's out-of court statements. An Order has not yet been entered setting a return date for DSS's Brief.

Name of Accomplishment: Frank DeMichele v. Brian P. Tierney, et al.,

When Initiated: Appeal initiated in 2013

Current Status: Pending in the United States Court of Appeals for the Second Circuit.

Description: Appeal from the Final Judgment of the District Court of the Southern (Hon. Paul G. Gardephe) which dismissed the complaint alleging excessive use of force after a jury verdict was rendered in favor of the County defendants and finding no violation of Mr. DeMichele's constitutional rights. Appellant's Main brief and the County's brief have been filed with the Second Circuit. Currently, awaiting receipt of Appellant's Reply brief and the scheduling of oral argument.

Name of Accomplishment: Matter of Gabriela A.

When Initiated: Leave to Appeal to the New York Court of Appeals initiated in 2013

Current Status: Pending in the New York Court of Appeals

Description: County's Presentment Agency petitioned for leave to appeal from the Appellate Division, Second Department's Decision and Order entered February 27, 2013. New York Court of Appeals granted leave on June 6, 2013. The matter has fully briefed on the issue of whether directly confrontational conduct with peace officers should be deemed "acceptable" conduct for PINS. Currently awaiting the scheduling of oral argument.

Name of Accomplishment: People of New York, ex rel. John F. Ryan on behalf of Richard Shaver v. Kevin Cheverko, et al.

When Initiated: Leave to Appeal to the New York Court of Appeals initiated in 2013

Current Status: Pending in the New York Court of Appeals

Description: County petitioned for leave to appeal from the Appellate Division, Second Department's Decision and Order entered January 30, 2013. New York Court of Appeals granted leave on May 7, 2013. The matter has fully briefed on the issue of the proper interpretation and application of Penal Law §70.30(2)(b) to correctly calculate the time that an inmate must serve multiple, consecutive, definite sentences. Oral argument was held on October 9, 2013. Currently awaiting the court's decision.

Name of Accomplishment: Matter of Anthony S.

When Initiated: Notice of Appeal received in 2012

Current Status: Pending in the Appellate Division, Second Department

Description: Respondent juvenile delinquent appealed Family Court adjudication in connection with conduct, which if committed by an adult would constitute: (1) Attempted Robbery in the First Degree; (2) Attempted Robbery in the Second Degree; and (3) Menacing in the Second Degree. Matter has been fully submitted. Oral argument was held on September 10, 2013. Currently awaiting the court's decision.

Name of Accomplishment: Matter of Jacob P.

When Initiated: Notice of Appeal received in 2011

Current Status: Completed

Description: The mother appealed from the order of fact-finding and disposition which determined that the mother had neglected her children and which denied visitation. By Decision and Order, entered June 5, 2013, the Appellate Division, Second Department affirmed the finding of neglect but reversed the order denying visitation on the grounds that the Family Court failed to indicate that there were extraordinary circumstances justifying the denial of the mother's right to reasonable visitation, whether that be unsupervised or supervised.

Name of Accomplishment: NYC v. Public Service Commission

When Initiated: 2012

Current Status: Completed

Description: New York City sought to overturn a portion of the 2009 Steam Rate determination that directed the re-allocation of East River Repowering Plant costs to steam customers, and requiring Consolidated Edison to supply a Cost Allocation Study in the next Steam Rate Filing. The County intervened in the matter, and Consolidated Edison moved to dismiss. The Court granted Consolidated Edison's motion insofar as the Petition alleged post-2013 rate setting, and denied the remainder of the Petition, holding that the PSC had a rational basis for issuing its Order, and that the Order is valid and enforceable. The Appellate Division, Third Department, affirmed the decisions of the lower court, holding that it was within the PSC's authority to order the re-allocation and that there was a rational basis for the Order.

Smith v. Gottlob, et. al.

When Initiated: 2007

Current Status: Petition for a Writ of Certiorari pending

Description: Plaintiff, an inmate at the Westchester County Jail, claimed that his Achilles tendon was torn due to excessive force used by correction officers in subduing him when he attempted to attack another inmate who was going to be testifying against him in court that day. The Judge had previously granted County Defendants' motion to dismiss the claims against the County and a warden, and the only remaining defendants were the two correction officers. Discovery was reopened when Plaintiff, previously pro se, obtained counsel. During re-opened discovery, Plaintiff's counsel agreed to dismiss all claims against one correction officer. After the County submitted a motion for summary judgment on behalf of the remaining officer, Plaintiff withdrew all claims against that officer. Plaintiff appealed certain orders of the District Court relating to his attempts to name another officer. The Court of Appeals for the Second Circuit affirmed the decisions of the District Court. Plaintiff has, pro se, filed a petition for a writ of certiorari with the United States Supreme Court, which is currently pending.

Leary v. Westchester County, et al.

When Initiated: 2012

Current Status: Completed

Description: Plaintiff was formerly employed by the Westchester County. In or around June 2009, her employment was terminated. Following her termination, plaintiff commenced this Section 1983 action, pro se, against the County, the County Department of Probation Commissioner, and various County employees, among others, claiming that the Defendants violated her rights to due process and equal protection under the U.S. Constitution. On May 9,

2012, the Court dismissed this case as against all County Defendants. Plaintiff obtained counsel who then appealed the decision. The Court of Appeals for the Second Circuit affirmed the decision of the District Court, finding the appeal to be frivolous.

Name of Accomplishment: Election Law Cases

When Initiated: 2013

Current Status: Completed

Description: The Law Department successfully represented the positions of the Westchester County Board of Elections in appeals from Election Law cases, including *Futia v. BOE* and *Ciotti v. BOE*.

Ongoing Initiative:

Charter Revision Commission

Description: The Law Department provides counsel to the Westchester County Charter Revision Commission. An attorney is present at the meetings of the Commission to answer questions and provide legal guidance regarding issues and questions raised at the meetings.

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 specific 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 of 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.

Opinions:

The Law Department provides advice and formal opinions throughout the year, as requested.

Contracts Bureau

Name of Accomplishment: Contracts for 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, 2012 (the last budget presentation) the Law Department has assisted the Board with over 25 such matters.

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:

- **3372 Old Crompond Road, Fair and Affordable Housing Development in the Town of Yorktown** –22 townhouse AFFH homeownership units.
- **55 Pleasant Avenue, Fair and Affordable Housing Development in the Village of Pleasantville** – - providing 1 affordable AFFH ownership unit with ancillary rental unit;
- **FAH Acquisition and Rehabilitation Program** –1-4 family properties located in municipalities eligible under the Settlement Agreement.
- **52 Washington Avenue in the Village of Hastings** – –3 affordable AFFH ownership units;
- **Freedom Gardens FAH Development in the Town of Yorktown** –3 affordable AFFH rental units;
- **Warren Avenue Affordable Housing Project in the Town of Greenburgh** –6 affordable AFFH ownership units;
- **Palmer Avenue in the Village of Larchmont** –51 fair and affordable ownership units, forty-six of which will AFFH;
- **Waterwheel, in the Village of Ardsley** –17 affordable AFFH home ownership units;

- **445 North State Road in the Village of Briarcliff Manor** –14 affordable AFFH home ownership units;
- **BPL01 Grant Park II Yonkers** - 56 fair and affordable housing units to be located in the City of Yonkers;
- **525 Ellendale Avenue, Rye Brook, New York** – 4 affordable AFFH ownership units;
- **Mews II at Baldwin Place, Somers, New York** - 75 affordable AFFH senior rental units;
- **Bridleside Housing, North Salem** –65 affordable AFFH rental units;
- **The Ambassador, Scarsdale Assisted Living Facility** - 4 SRO units which are anticipated to count as affordable AFFH units;
- **150 Lake Street, White Plains** - 67 affordable rental units;
- **Warburton River View Workforce Housing, Yonkers** - 92 affordable rental units;
- **Hunts Place, Chappaqua** - 36 affordable AFFH rental units;
- **Winbrook Phase I, White Plains** - 103 affordable rental units;
- **37 Stewart Place** –1 affordable AFFH ownership unit with ancillary rental unit;
- **21 Cooley Street, Pleasantville** –1 affordable AFFH ownership unit with 2 ancillary rental units;
- **Kaldenberg Place, Tarrytown** – 2 units, which are anticipated to count as affordable AFFH units;
- **445 North State Road, Briarcliff Manor** –14 affordable AFFH ownership units;
- **230 Westchester Avenue** - 1 affordable AFFH ownership unit;
- **223 Spring Street, Ossining** - 6 affordable AFFH rental units;
- **South 13th Avenue, Mount Vernon** - 1 affordable AFFH ownership unit with an ancillary rental unit;
- **25 State Street, Ossining** - 49 affordable AFFH rental units;

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: Assisted the County Executive’s Office and Department of Environmental Facilities with respect on-going compliance with the Order on Consent with the New York State Department of Environmental Conservation, as amended including review of certain filings in connection with the established a procedure for requesting confidentiality of sensitive information.

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 compliance with the LT2 rule as mandated by the environmental Protection Agency (the “EPA”).

The County Attorney’s Office was involved in extended negotiations with the EPA and the United States Attorney’s (“USA”) Office in connection with allegations that County Water District No. constituted a “public water system” under the SWDA.

The County Attorney’s Office has had numerous meetings with the 4 municipal members of Water District No. 1, namely the cities of Yonkers, Mount Vernon, White Plains and the Village of Scarsdale, as well as the EPA and USA’s offices to facilitate compliance by the District’s municipal members with federal requirements. Despite these efforts the County is now involved in a federal law suit with respect to compliance with LT2. The Law Department is currently in the process of filing a motion to dismiss the complaint.

Name of Accomplishment: County Water Districts Miscellaneous Projects

When Initiated: 2007

Current Status: Ongoing

Description: Law assists the Department of Environmental Facilities in connection with numerous miscellaneous projects.

Name of Accomplishment: Watershed / East of Hudson

When Initiated: 2007

Current Status: Ongoing

Description: Assisting 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:

Stormwater 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.

Sewer District Modification - The Law Department drafted legislation to expand the Saw Mill Valley Sanitary Sewer District to include certain parcels located in the Town of New Castle, comprising all or a part of the following developments:

- 1.) Chappaqua Crossing;
- 2.) Random Farms;
- 3.) Riverwoods; and
- 4.) Yeshiva Farm Settlement.

The Law Department has drafted agreements and is currently involved in negotiations with NYCDEP and the Town in furtherance of the distribution of approximately \$16 million in EOH funds to the Town.

Name of Accomplishment: Sewer District Modifications

When Initiated: N/A

Current Status: Ongoing

Description: Worked with the Department of Environmental Facilities to prepare necessary legislation to authorize the modification of various sewer districts throughout the County, including those described above.

Name of Accomplishment: Ocean Dumping Consent Decree

When Initiated: 2012

Current Status: Ongoing

Description: Providing legal advice and drafting services to the Department of Environmental Facilities in connection with exploring the possibilities of legally terminating or modifying the requirements remaining under the ocean dumping consent decree to allow the Department to utilize sludge disposal methods for the YJWTP that are significantly lower in cost, but which are environmentally sound.

Name of Accomplishment: Various Matters for the Board of Legislators

When Initiated: 2012

Current Status: Ongoing

Description: Providing legal advice and drafting services to the Board of Legislators in connection with:

- Opinion regarding Playland Park
- Providing legal advice and counsel to various BOL committees regarding Playland Park
- Attending numerous Committee meetings at the request of the Board
- Revising or drafting legislation at the request of the Board

Name of Accomplishment: Jay Property

When Initiated: 2010

Current Status: Completed

Description: Provided legal advice and drafting to the County Executive's Office and Department of Parks concerning the Cooperation Agreement with New York State Department of Parks, Recreation and Historic Preservation, the County and the Jay Heritage Center.

Name of Accomplishment: New York Medical College

When Initiated: 2013

Current Status: Ongoing

Description: Provided 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: Ongoing

Description: Providing 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 anticipates that it will be necessary to acquire property rights to affected properties adjacent to the Bridge. The acquisition of these properties will be 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: Providing 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: Providing 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:

- WCHCC civil service issues
- Ambulance services to County shelter facilities
- Medical surveillance services for the County's Occupational and Environmental Health Unit
- X-Ray Services for County Health Department Tuberculosis Patients and Tuberculosis-related services
- Immediate medical services and treatment for emergency room services
- Late stage syphilis for diagnosis by lumbar puncture
- Clinical Instruction for WCC Students

Name of Accomplishment: Various Department of Emergency Services Matters

When Initiated: 2009

Current Status: Ongoing

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

- RFP Debris Management Plan
- RFP Hazard Mitigation Plan
- Emergency Procurement
- Audio/Video Project EOC
- RFP Incident Command System Position Training
- The Fire Mutual Aid plan;
- Hurricane Tabletop exercise
- WMD IMA's for distribution of equipment
- Grants regarding the Urban Area Security Initiative, HazMat and Homeland Security;
- A Regional Partnership Agreement with Putnam and Dutchess for the Hazmat grant program;
- United Way 211 special needs registry
- Westchester Catering
- Hawthorne and Valhalla fire services agreements

Name of Accomplishment: Tax Anticipation Notes

When Initiated: 2013

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

When Initiated: 2013

Current Status: Ongoing

Description: Providing 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: Request for Proposals for Bond Counsel

When Initiated: 2013

Current Status: Completed

Description: Provided legal advice and counsel, research and drafting services to the Department of Finance in connection with a Request for Proposals for bond counsel services.

Name of Accomplishment: RFP for County Financial Advisor

When Initiated: 2013

Current Status: Completed

Description: Provided legal advice and counsel, research and drafting services to the Department of Finance in connection with a Request for Proposals for financial advisor services.

Name of Accomplishment: Various Department of Public Safety Matters

When Initiated: 2013

Current Status: Completed

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

- The IRS and VA agreements for use of the Firing Range
- School Resource Officer at Walter Panas High School drafted legislation for an agreement covering 2011-2012 and also for 2012-2016. Additionally provided legal advice and drafted legislation for the Board of Legislators in connection with the SROs for the North Salem and Somers Central School Districts for the 2013-2014 school term.
- IMAs with various municipalities to utilize the County's firing range located in Valhalla, New York.
- SHPS Bomb Squad Initiative Grant Agreement Resolution.RFP to engage a consultant to design and conduct a series of training and exercise opportunities that are compliant with the both the Homeland Security Exercise and Evaluation Program (HSEEP) and National Incident Management System (NIMS).
- Gift to Putnam County Police Tactical Team of a light armored vehicle/armored personnel carrier.
- Grant issued by the Substance Abuse and Mental Health Services Administration ("SAMSHA") for the Westchester Coalition for Drug and Alcohol Free Youth – Mentor Project to combat underage drinking and other drug use among County youth.

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

When Initiated: 2012

Current Status: Ongoing

Description: Providing 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 for the use of County property to install, operate and maintain radio equipment and antennas.

Name of Accomplishment: White Plains PSAP

When Initiated: 2013

Current Status: Ongoing

Description: Providing legal advice and counsel, research and drafting services to the Department of Information Technology in connection with the designation of the City of White Plains as a public safety answering point.

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 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: Panorama Aviation Lease Assignment to Landmark

When Initiated: 2013

Current Status: Ongoing

Description: Providing legal advice, legal research, drafting and other counsel to DOT, the Administration and the BOL in regards to the acquisition of Panorama by Landmark at Westchester County Airport.

Name of Accomplishment: Jet Systems and Westair Assignments to Signature

When Initiated: 2013

Current Status: Ongoing

Description: Providing legal advice, legal research, drafting and other counsel to DOT and the Administration in regards to the assignment of leases held by Jet Systems and Westair to Signature Flight Support.

Name of Accomplishment: Friends of Hilltop Hanover Farm

When Initiated: 2013

Current Status: Completed

Description: Providing legal advice and counsel to PRC in regards to a license agreement with the Friends of Hilltop Hanover Farm, a not-for-profit organization, to utilize space at Hilltop Hanover Farm located on Hanover Street, Yorktown, New York and to provide various cultural, educational, farming, environmental programming, fundraising activities and other programs and special events on behalf of the County. Law prepared authorizing legislation and the agreement.

Name of Accomplishment: Pepsi/Interlaken Hangar Leases

When Initiated: 2012

Current Status: Ongoing

Description: Providing legal advice, legal research and counsel to DOT in regards to new long-term leases that will keep these local employers at Westchester County Airport. Law is preparing authorizing legislation and the lease agreements..

Name of Accomplishment: Request for Proposals for 6-n Counsel

When Initiated: 2013

Current Status: Ongoing

Description: Prepared and issued an RFP to solicit proposals from laws firms and practitioners for legal services and representation for the County 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: 2013

Current Status: Ongoing

Description: Provided legal assistance and drafted legislation, working with County Bond Counsel, to the Office of the County Executive and the Board of Legislators regarding Qualified Energy Conservation Bond (QECCB) legislation that would authorize the County to reserve 50% of the County's QECCB allocation for use by municipalities in the County that have designated the Energy Improvement Corporation as their instrumentality for the purpose of financing the acquisition, construction and installation of renewable energy systems.

Name of Accomplishment: Parkland Alienation to Facilitate Improvements to Jackson Avenue

When Initiated: 2013

Current Status: Complete

Description: Provided legal assistance to the Board of Legislators and the Department of Public Works and Transportation regarding parkland alienation legislation that was to go before the New York State Legislature to authorize the County to alienate a small piece of Sprain Ridge Park for the purpose of facilitating improvements to Jackson Avenue.

Name of Accomplishment: Request for Proposals for Management, Operation, and Maintenance of the County's Bee-Line Bus System

When Initiated: 2013

Current Status: Ongoing

Description: Provided legal assistance to the Administration and the Department of Public Works and Transportation in the preparation of an RFP to solicit proposals from firms with the technical expertise and experience necessary to professionally manage, operate, and maintain the County's Bee-Line Bus System, in order to comply with applicable federal rules concerning competitive procurement. Also, conducted legal discussions and correspondence with FTA Regional Counsel prior to issuance of the RFP. Currently providing legal assistance during the conduct of the RFP process.

Name of Accomplishment: Counsel for Administrative Proceedings before the New York State Public Service Commission

When Initiated: 2013

Current Status: Ongoing

Description: Prepared and issued an RFP to solicit proposals for the provision of all legal services and representation, and related technical, consulting, and expert witness services, that are necessary for administrative proceedings before the New York State Public Service Commission, including rate cases filed simultaneously by Consolidated Edison Company of New York, Inc. for increases in electric, gas, and steam rates. Prepared various legislation and A&C resolutions to authorize the County to enter into an agreement and a first amendment with the selected proposer for these services. Prepared the agreement and first amendment the County ultimately executed with the selected proposer.

Name of Accomplishment: Family Justice Center

When Initiated: 2009

Current Status: Ongoing

Description: Providing legal assistance to the Office for Women and the Department of Probation regarding the Family Justice Center at the White Plains Court Complex. Law provides assistance by preparing 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: Providing 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: Contract Reform Working Group

When Initiated: 2011

Current Status: Ongoing

Description: Provided 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 prepared updated versions of standard County contract schedules including the "Questionnaire Regarding Business Enterprises Owned and Controlled By Women or Persons of Color"; the "Criminal Background Disclosure" form; the "Required Disclosure Of Relationships To County" form; and the "Enrollment In A Qualified Transportation Fringe Program" form.

Name of Accomplishment: Order of Succession Documentation

When Initiated: 2010

Current Status: Ongoing

Description: Providing 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 Heads of Departments for Contract Execution

When Initiated: 2010

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: Professional Services Requests For Proposals for 2014-2016

When Initiated: 2013

Current Status: Ongoing

Description: Providing legal assistance to the Department of Information Technology by preparing Requests 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: Enhanced 911 System

When Initiated: 2011

Current Status: Ongoing

Description: Providing legal advice to, and reviewing and drafting various contracts and other documents for, the Department of Information Technology in connection with its provision of Enhanced 911 (E911) services to Westchester County through dozens of Public Safety Answering Points (PSAPs) throughout the County.

Name of Accomplishment: Proposed Lease Ferncliff Manor for the Retarded, Inc.

When Initiated: 2012

Current Status: Completed

Description: Provided legal advice and prepared legislation that was submitted to the BOL for the County Administration's proposal to enter into a long term lease with Ferncliff for the former West-HELP site in Greenburgh. Subsequent to the submission of the lease legislation in September, 2012 proposed by the Administration, the Law Department worked with the BOL to address numerous legal issues in connection with identifying an alternative site for Ferncliff to lease at the Grasslands Campus.

Name of Accomplishment: Proposed sublease of former WestHELP site in Greenburgh to Group MRH.

When Initiated: 2013

Current Status: Ongoing

Description: Providing legal advice in connection with Greenburgh's proposal to enter into a long term sublease with Group MRH for the former West-HELP site in Greenburgh.

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

When Initiated: 2004

Current Status: Ongoing

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

Name of Accomplishment: Lease of County space at 100 East First Street, Mount Vernon to the Dormitory Authority of the State of New York.

When Initiated: 2012

Current Status: Completed

Description: Provided legal advice to the Department of Public Works and Transportation in connection with the lease of County space at 100 East First Street, Mount Vernon to the Dormitory Authority for use by the NYS Office of Mental Health Rockland Psychiatric Center.

Name of Accomplishment: Department of Environmental Facilities Lease for Space at 270 North Avenue, New Rochelle

When Initiated: 2012

Current Status: Completed

Description: Providing on-going legal advice to Department of Public Works and Transportation in connection with a lease for space at 270 North Avenue, New Rochelle for offices of the Department of Environmental Facilities.

Name of Accomplishment: Westchester Community College Lease for Space at 15 South Fifth Avenue, Mount Vernon

When Initiated: 2012

Current Status: Completed

Description: Prepared authorizing legislation and provided legal advice to Department of Public Works and Transportation in connection with the lease of space at 15 South Fifth Avenue, Mount Vernon to be used as a satellite campus for WCC.

Name of Accomplishment: Bids for 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. Also providing ongoing legal advice in connection with a proposed RFP for innovative services to be offered to eligible riders in lieu of paratransit vehicles throughout the entire County.

Name of Accomplishment: Relocation of Sewer easement with River Club, Inc. in Yonkers.

When Initiated: 2013

Current Status: Ongoing

Description: Drafting documents, including legislation and easement agreements, and providing legal advice in connection with an agreement with River Club, L.L.C, for the relocation of a sewer trunk line located on property owned by River Club, L.L.C. along Warburton Avenue in the City of Yonkers.

Name of Accomplishment: Demolition of two railroad bridges (the Battery Place Bridge a/k/a Crugers Bridge and the Craft Lane Bridge) within the Town of Cortlandt.

When Initiated: 2013

Current Status: Ongoing

Description: Drafting documents, including legislation and agreements, and providing legal advice in connection with an agreement with Metro North Commuter Railroad Company (“Metro North”) and the Town of Cortlandt (“Town”) in connection with the demolition of two railroad bridges (the Battery Place Bridge a/k/a Crugers Bridge and the Craft Lane Bridge) within the Town.

Name of Accomplishment: Agreement with Village of Mamaroneck for use of a portion of Harbor Island Park.

When Initiated: 2012

Current Status: Ongoing

Description: Drafting documents and providing legal advice in connection with an agreement with The Village of Mamaroneck to utilize a portion of Harbor Island Park as a construction staging area during construction of extensive improvements to the Mamaroneck Wastewater Treatment Plant (“MWWTP”) in order to comply with a Consent Order relating to biological nutrient removal that was agreed to by the New York State Department of Environmental Conservation.

Name of Accomplishment: Change of Active Recreation Easement Area in Angle Fly Preserve, Town of Somers.

When Initiated: 2013

Current Status: Ongoing

Description: Drafting documents and providing legal advice in connection with the change of an active recreation easement area in Angle Fly Preserve, Town of Somers. The Town is seeking to amend the DEC conservation easement on the Angle Fly Preserve to relocate the area where athletic fields are permitted to a parcel closer to Reis park.

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

When Initiated: 2012

Current Status: Ongoing

Description: Working 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: Reconstruction of Millwood Train Station.

When Initiated: 2013

Current Status: Ongoing

Description: Providing legal advice in connection with the proposed reconstruction of the Millwood Train Station located on State owned property that is leased to the County for use as the North County Trailway.

Name of Accomplishment: Liens Filed on County Construction Projects

When Initiated: N/A

Current Status: Ongoing

Description: Providing 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: Conducted the procurement of a new agreement for supplementation and codification services of the Laws of Westchester County (the "Laws"), which includes the hosting of the Laws on the internet, including but not limited to, the preparation of a RFP, review of proposals, preparation of all necessary resolutions and the negotiation and preparation of contract documents. The Law Department also acts 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: Energy Efficiency Program Master Agreement with the New York Power Authority ("NYPA")

When Initiated: 2013

Current Status: Ongoing

Description: Provide legal advice and counsel to the Department of Public Works and Transportation in connection with the Energy Efficiency Program including, but not limited to negotiation of the new Energy Efficiency Program Agreement (the previous agreement June 30, 2013). Pursuant to the Energy Efficiency Program, the County and NYPA enter in Customer Installation Commitment Agreement, pursuant to which NYPA provides consulting services in connection with increasing energy efficiency and reducing consumption.

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

When Initiated: 2009

Current Status: Ongoing

Description: Provide 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 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, 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 assist the Board in the retention of a new service provider. Legal advice and counsel was also provided in connection with the proposed sale of the current provider, The Hartford to MassMutual.

Name of Accomplishment: Westchester County Deferred Compensation Board – Procurement of new Plan Provider

When Initiated: 2013

Current Status: Ongoing

Description: Provide legal advice to the Westchester County Deferred Compensation Board (the “Board”) in connection with the procurement of the new Deferred Compensation Plan provider including but not limited to, legal research and advice regarding the pertinent legislation, including the NYS Deferred Compensation Board Rules and Regulations and Federal tax law, the preparation of a RFP, review of proposals, negotiation and preparation of contract documents.

Name of Accomplishment: Board of Elections /Department of Public Works and Transportation Voting Machine Moving Contracts

When Initiated: 2011

Current Status: Ongoing

Description: Providing 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 2013 Primary and General Elections.

Name of Accomplishment: Board of Elections Contract Procurements

When Initiated: 2012

Current Status: Ongoing

Description: Providing 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 and storage of old lever voting machines. Providing assistance to the Board of Elections in connection with the acceptance of various State and Federal Grants.

Name of Accomplishment: Playland Bathhouse Construction Project

When Initiated: 2011

Current Status: Completed.

Description: Provided legal advice and counsel to the Department of Public Works and Transportation in connection with the ongoing renovation of the Playland Bathhouse, including the preparation of various documents in connection with the default of the General Contractor, such as resolutions and the takeover agreement with the General Contractor's surety. In addition, Law provided legal advice and counsel in connection with the completion of the work by the takeover contractor and the ultimate acceptance of the same by the County.

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

When Initiated: N/A

Current Status: Ongoing

Description: Providing 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, 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: Providing 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 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: Estate of Bolnik

When Initiated: 2013

Current Status: Ongoing

Description: Provided legal advice and assistance to the Department of Parks, Recreation and Conservation and Board of Legislators relating to the bequest to the County of 4.91 acres of property located in the Town of Somers for use by the County as Parkland.

Name of Accomplishment: Westchester Children's Museum - Playland

When Initiated: 2008

Current Status: Ongoing

Description: Drafted and revised Lease and other advice and assistance to the Office of the County Executive relating to the lease of the former North Bathhouse for use as the Westchester Children's Museum, for a ten-year term. Continue to provide advice during lease implementation.

Name of Accomplishment: Playland Asset Management Agreement

When Initiated: 2010

Current Status: Ongoing

Description: Providing legal advice and assistance to the County Executive's Office and the Department of Parks, Recreation and Conservation with respect to the Asset Management Agreement with Sustainable Playland, Inc. Also, provide advice to and answer questions from the Board of Legislators during their review of the AMA.

Name of Accomplishment: Secure and Non-secure Detention

When Initiated: 2012

Current Status: Completed

Description: Drafted Board of Acquisition and Contracts Resolutions for Non-secure Detention and Secure Detention after issuance of Requests for Proposals (RFP's) and drafted related agreements which commenced in 2013.

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: Child Care Time and Attendance

When Initiated: 2012

Current Status: Ongoing

Description : Drafted Board of Acquisition and Contract resolutions and agreements requiring Day Care providers without formal contracts with the County (pursuant to New York State Child Care Block Grant) to remit their monthly invoices electronically pursuant to a new requirement of the New York State Office of Children and Family Services.

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

When Initiated: 2013

Current Status: Ongoing

Description: Drafted Requests for Proposals for Title III-B Volunteer Recruitment and Recognition Services; Expanded In-Home Services for the Elderly Program (EISEP); Supplemental Nutrition Assistance Program (SNAP); Title III-B Cluster Homemaker Personal Care Program; Draft Livable Communities Connections Program; Congregate Services Initiative (CSI). Drafted and /or reviewed related Board of Acquisition and Contract resolutions and agreements. Provided legal advice and assistance.

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

When Initiated: 2013

Current Status: Ongoing

Description: Drafted Requests for Proposals for After Care from Foster Care; Respite Services; Rental Assistance Program. Drafted related Board of Acquisition and Contract resolutions and agreements. Provided legal advice and assistance.

Name of Accomplishment: Prisoner Transportation

When Initiated: pre-1997

Current Status: Ongoing

Description: Prepared legislation, A&C resolutions and intermunicipal agreements with approximately 28 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 ongoing capital projects and capital budget amendments as required. Draft capital bonding legislation and capital budget amendments, as required (128 matters in 2013). Draft numerous revisions to capital

bonding legislation as requested by the Board of Legislators. The following are a few of the projects worked on in 2013:

- B015C: Interior Infrastructure Repairs – WP Complex
- BES11: Emergency Communications Center Renovations
- BES12: County Public Access Defibrillation Equipment
- BIT6B: Purchase of computer equipment '11-'15 - \$500,000
- BIT17: Network Infrastructure Upgrade
- BPF32: Infrastructure Repairs (2012-2016), Parking Structure White Plains
- BPL23: Stormwater Management- Various County Facilities (Fisher Lane)
- P0024: Bronx River Parkway Rehabilitation Program
- RB03H: RB03H-Midland Ave Over Bronx River Pkwy
- RGC12: Dunwoodie Golf Course Facility Improvements
- RLAS3: Lasdon Maintenance Facility
- RMUS3: Muscoot Farm Infrastructure
- RNWP1: No. White Plains Parking Lot
- RP009: Ice Casino Storm Reconstruction
- RP010: Ice Casino Roof
- RPA03: North & South County Trailways Infrastructure
- SBB85: Sewer System Rehab/Blind Brook SSD
- SPK12: Peekskill WWTP - Mechanical, Sludge Handling Upgrades
 - SY038: Yonkers Joint Treatment Plant Engine Replacement

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 the New York State Department of Transportation to accept funding for various capital projects at the Westchester County Airport, including the following:

- A002A: Airport Approach Protection/Belle Faire
- A0071: Airport Planning Studies
- A0120: Ground Support Equipment Facility
- A042A: Storm Water Management Program
- A042B: Storm Water Management Program
- A054A: Rehabilitation Of Various Taxiways
- A056C: Heavy Equipment Acquisition (2011-2016)
- A066C: Misc Restoration & Rehab (2011-2015)
- A083A: Terminal System Upgrade
- A0097: Domestic Water System Improvements

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

When Initiated: March, 2012

Current Status: Inter Municipal Agreements have been 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. Prepared necessary legislation and A&C resolutions.

Name of Accomplishment: NEG Funds for Hurricane Sandy Recovery

When Initiated: 2012

Current Status: Ongoing

Description: Worked with the Department of Social Services, Office of Workforce Investment, to develop 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: Bond Counsel Contracts

When Initiated: 2013

Current Status: completed

Description: Prepared RFP, legislation, A&C Resolution as well as agreements for the provision of bond counsel services for the County.

Name of Accomplishment: Various Department of Public Safety Matters

When Initiated: 2013

Current Status: On going

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

- STOP-DWI Patrol/Datamaster Project
- Agreement for the services of School Resource Officers for the Lakeland, North Salem and Somers School Districts
- Bomb Squad Initiative Grant
- IMA with Peekskill for lease of command and communications vehicle for use in mutual aid

Name of Accomplishment: Grant Funding for Senior Programs

When Initiated: N/A

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 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.

Name of Accomplishment: Retainer Agreement for Airport Counsel

When Initiated: 2012

Current Status: Pending BOL approval

Description: Prepared legislation, A&C Resolution as well as agreement for the renewal of a contract with The Wicks Group PLLC to provide the County with advice and representation in connection with various legal issues affecting the County Airport

Name of Accomplishment: Retainer Agreement for Legal Collection Services for WCC

When Initiated: 2013

Current Status: pending A&C approval

Description: Prepared legislation, A&C Resolution as well as agreement with the firm of Stephen Einstein & Associates, P.C. for the provision of legal collections services for WCC.

Name of Accomplishment: RFP for Emergency Housing Units

When Initiated: 2013

Current Status: RFP issued

Description: Assisted DSS in preparing an RFP to procure an agency to assist in providing emergency housing for homeless individuals in Westchester.

Name of Accomplishment: RFP for Domestic Violence Services

When Initiated: N/A

Current Status: in preparation

Description: Assisted DSS in preparing an RFP to procure an agency to assist in providing housing and various support services for victims of domestic violence.

Name of Accomplishment: Labor Negotiation Consultant Services

When Initiated: N/A

Current Status: Completed

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

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: 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: Assisted 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: Providing 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 municipalities.

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

When Initiated: 2012

Current Status: Ongoing

Description: Providing 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 agreements for the County in connection with the operation of the County’s Biodefense Laboratory; United States Department of Justice Forensic DNA Backlog Reduction; Benchmark Analytics, 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.

Name of Accomplishment: Compliance with new State Requirements concerning Minority or Women-Owned Business Enterprise (“MWBE”) in connection with Article 15A of the Executive Law

When Initiated: 2013

Current Status: Completed

Description: Attended webinar on behalf of the Department of Probation regarding the new MWBE requirements designed to carry out the provisions of Article 15A of the Executive Law being implemented in connection with grants issued by the New York State Division of Criminal Justice Services. The State’s program appears to have different MBE/WBE goals for different departments of the State’s Executive Branch and must be accounted for on a grant-by-grant basis. Accordingly, the Law Department is providing compliance advice to County departments on a grant-by-grant basis, when a Department receives those particular grant requirements concerning such compliance.

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 Workforce Investment Board (“WIB”) Matters

When Initiated: 2013

Current Status: Ongoing

Description: Prepare and/or review Requests for Proposals and Requests for Quotations, Board of Acquisition and Contract resolutions, agreements and legal advice regarding procurement for customized, sector and pre-apprenticeship training programs for WIB.

Litigation Bureau

Federal Court Cases:

Name of Accomplishment: Bouche v. Westchester County, et al.

When Initiated: 2008

Current Status: Case dismissed after jury trial.

Dollars Saved: Difficult to estimate, however, plaintiff sought compensation for constitutional violations and punitive damages based on the theory that police officers used excessive force. If successful, plaintiffs would have been entitled to attorney's fees.

Description: This case involved the shooting of off-duty Mt. Vernon Police Officer, Christopher Ridley. The County moved for summary judgment at the conclusion of discovery. Summary Judgment was granted on all claims except the individual claims against four named police officers. That decision was upheld on appeal and the matter proceeded to trial. At the conclusion of the trial, the jury returned a unanimous verdict in favor of all Officers.

Name of Accomplishment: DeMichelle v. Gutierrez, et al.

When Initiated: 2009

Current Status: Case dismissed after jury trial. On Appeal.

Dollars Saved: Difficult to determine.

Description: Summary judgment was partially granted by the Court, dismissing claims against the County and five individually named County officers. Plaintiff's remaining cause of action against three individually named County officers for the alleged violation of his constitutional rights pursuant to 42 U.S.C. Section 1983 was tried before a jury, and at the conclusion of the trial on December 19, 2012, the jury returned a unanimous verdict in favor of all County defendants. An appeal is pending.

Name of Accomplishment: Fontanez v. Skepple and Westchester County

When Initiated: 2012

Current Status: Case was dismissed. On appeal.

Dollars Saved: It is difficult to ascertain how much money was saved.

Description: Plaintiff claims that her rights under the Driver's' Privacy Protection Act, 18 U.S.C. Section 2721 *et. seq.* were violated by Defendant Correction Officer Skepple. The one incident which forms the basis for this action arose between October, 2011 and January 6, 2012 during the visit by Fontanez to her paramour, a federal prisoner who at the time was detained at the Westchester County Jail. The District Court granted the County Defendants' motion to dismiss.

Name of Accomplishment: Jones v. County of Westchester

When Initiated: 2012

Current Status: Discovery proceeding

Dollars Saved: Difficult to determine, but Plaintiff has sought over \$5 million in damages.

Description: Plaintiff, a former employee of the Department of Environmental Facilities, claimed numerous violations of state and federal law with respect to his employment with the County and his termination following a disciplinary hearing. The County successfully obtained dismissal of 26 of the 27 claims asserted in Plaintiff's amended complaint, and

discovery is proceeding with respect to the remaining claim.

Name of Accomplishment: Kubicek v. County of Westchester

When Initiated: 2008

Current Status: Case was dismissed upon the County's motion for summary judgment; Plaintiff's motion for reconsideration is pending.

Dollars Saved: Plaintiff sought attorneys' fees, punitive damages, compensatory damages., injunctive and declaratory relief . It is hard to ascertain how much money was saved.

Description: In this action brought pursuant to 42 USC Section 1983, Title VII , the NYSHRL and the ADEA, Plaintiff claims that she was discriminated against on the basis of her age and race (Caucasian) and that her due process and Equal Protection rights were violated when she was not reinstated from a preferred eligible list after her position was abolished. Plaintiff withdrew all Title VII, NYSHRL, Equal Protection and ADEA claims after the completion of discovery. The District Court granted the County's motion for summary judgment.

Name of Accomplishment: Lagos v. Smithson, et al.

When Initiated: 2012

Current Status: Case was dismissed.

Dollars Saved: Difficult to estimate- Plaintiff did not put a demand in his Complaint

Description: Plaintiff commenced this action against Deputy Commissioner Smithson and various John and Jane Does at the County Department of Correction alleging that certain pieces of his mail which he needed to establish a defense to his pending criminal case had been destroyed and never delivered to him by jail officials. The action was dismissed based on Plaintiff's failure to timely amend and serve a Complaint.

Name of Accomplishment: Ross v. Westchester County

When Initiated: 2010

Current Status: Complaint was dismissed.

Dollars Saved: Difficult to determine

Description: Plaintiff inmate brought this §1983 action stemming from alleged deliberate indifference when the Department of Correction allegedly failed to provide him with a C-PAP machine for his sleep apnea. The County moved to dismiss the complaint which was granted against all County Defendants with only the County remaining. Thereafter, the District Court granted the County's motion for summary judgment motion and the case was dismissed as against the County. Plaintiff filed a notice of appeal.

Name of Accomplishment: Smith v. Gottlob, et al.

When Initiated: 2007

Current Status: Case was discontinued

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

Description: Plaintiff, an inmate at the Westchester County Jail, claimed that his Achilles tendon was torn due to excessive force used by correction officers in subduing him when he attempted to attack another inmate who was going to be testifying against him in court that day. The Judge had previously granted County Defendants' motion to dismiss the claims against the County and a warden, and the only remaining defendants were the two correction officers. Discovery was reopened when Plaintiff, previously pro se, obtained counsel. During re-opened discovery, Plaintiff's counsel agreed to dismiss all claims against one correction officer. After the County submitted a motion for summary judgment on

behalf of the remaining officer, Plaintiff withdrew all claims against that officer. A Notice of Appeal was filed regarding certain rulings made by the Judge regarding Plaintiff's motion to amend his complaint. Following affirmance by the Second Circuit, the County successfully obtained sanctions against Plaintiff's counsel for his conduct during the litigation.

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

When Initiated: 2013

Current Status: Plaintiff voluntarily withdrew his claim after the County requested permission to dismiss his complaint.

Dollars Saved: It is difficult to determine the dollars saved by this dismissal.

Description: Plaintiff, a stock clerk with the Westchester Community College ("WCC"), alleged that the County violated his procedural due process rights when he was placed on a suspension from work without pay, pending a determination of disciplinary charges against him for stealing and/or possessing stolen WCC property. Plaintiff remained on a suspension without pay beyond the 30 day period allowed under the Civil Service Law due to his request that his hearing be adjourned pending the outcome of his related criminal proceedings. The County requested, and argued in Federal Court, for permission to file a motion to dismiss the complaint as Plaintiff had an adequate post deprivation remedy available to him in state court, *i.e.*, an Article 78 proceeding. As a result, Plaintiff voluntarily withdrew his complaint.

STATE COURT CASES:

Name of Accomplishment: Blomquist v. County of Westchester, et al.

When Initiated: 2012

Current Status: Case was dismissed.

Dollars Saved: Although it is hard to determine the exact amount of savings, she sought an amount exceeding One Hundred Thousand Dollars (\$100,000.00.)

Description: Plaintiff alleged that on December 31, 2011, on the sidewalk in front of the parking lot for Flower Funeral Home located at 742 Yonkers Avenue, Yonkers, New York, she was caused to trip and fall as a result of an improperly lit and deteriorated sidewalk at the aforementioned location. The County moved to dismiss the Summons and Complaint on the basis that it had no involvement, nor responsibility for the area of the accident site. The Court granted the County's motion and the action was dismissed with prejudice against the County.

Name of Accomplishment: Calderon v. Westchester County, et al.

When Initiated: 2009

Current Status: Case was dismissed on summary judgment.

Dollars Saved: It is difficult to determine the dollars saved by this dismissal, however, Plaintiff alleged to have \$675,000.00 in past and future medical expenses alone. In addition, the County was granted summary judgment on its cross claim for defense and indemnification against co-defendant Montesano Brothers Inc., and is in the process of recovering the attorney's fees and costs incurred in defending this action.

Description: On June 10, 2009, Plaintiff was struck by an automobile while crossing the Bronx River Parkway at the intersection of Fisher Lane in Greenburgh, sustaining serious personal injuries including severe head trauma. At the time of the accident, Montesano Brothers Inc. was reconstructing a stretch of the Bronx River Parkway, which included the intersection of Fisher Lane, pursuant to contract with the County and in accordance with the County's design. Plaintiff alleged the County was negligent in its

ownership, design, maintenance and reconstruction of the Bronx River Parkway, and that the County failed to provide adequate pavement markings, warning signs and other traffic control devices for safe pedestrian crossing. After conducting significant discovery, the County moved for, and was granted, summary judgment on the grounds that the County did not have prior notice of a dangerous or defective condition at the Fisher Lane intersection, and that Plaintiff's theories of liability were speculative and insufficient to survive summary judgment due to the actions of the driver and the Plaintiff, who were both familiar with the intersection prior to the accident. The County also moved for, and was granted, summary judgment on its cross claim for contractual defense and indemnification against Montesano Brothers Inc.

Name of Accomplishment: Classy Limousine v. West. Co. Taxi & Limousine Commission

When Initiated: 2013

Current Status: Petitioner's claims have been dismissed.

Dollars Saved: It is difficult to determine the dollars saved by this dismissal.

Description: Petitioners brought this Article 78 seeking a review of the determination by the County Taxi and Limousine Commission ("TLC") sustaining fines issued to Petitioners for, among other things, operating a for-hire vehicle in the County without a valid TLC permit. The Court granted the County's motion to dismiss the petition.

Name of Accomplishment: Cole-Hatchard v. Meliti, et al.

When initiated: 2008

Current Status: Case was dismissed.

Dollars Saved: Difficult to estimate.

Description: A former County Police Officer filed suit against County Department of Public Safety Commissioner and her supervisors alleging defamation and malice as a result of plaintiff being ordered to submit to a psychological examination as a result of her behavior and insubordination while on duty. The matter was dismissed in its entirety upon the County's motion for summary judgment.

Name of Accomplishment: Corniel v. Westchester County Department of Correction

When Initiated: 2012

Current Status: Case was dismissed

Dollars Saved: Equitable relief sought.

Description: Petitioner brought this Article 78 action seeking an additional credit of 117 days of jail time credit. The County's motion to dismiss was granted.

Name of Accomplishment: DeLeo v. County of Westchester, et al.

When Initiated: 2011

Current Status: Case was settled.

Dollars Saved: Difficult to determine but plaintiffs were seeking an amount exceeding \$75,000.

Description: Plaintiff alleged that on September 17, 2010, while he was on the sidewalk of the southeast corner of the intersection of Central Park Avenue and Yonkers Avenue in Yonkers, New York, he was caused to trip, fall and collide with a large rock that existed on the sidewalk. As a result of the alleged accident, plaintiff alleged he sustained a head injury that caused him to have vertigo, imbalance, a concussion and dizziness, among other things. This case was settled by payment from the County in the amount of \$2,250.00.

Name of Accomplishment: Fillyow v. The County of Westchester, et al.

When Initiated: 2012

Current Status: Claimant's motion to file a late notice of claim denied.

Dollars Saved: Although it is hard to determine the exact amount of savings, claimant alleged that she sustained serious injuries involving, among other things, a torn rotator cuff requiring surgery and an MRI revealed tears to her knee.

Description: Claimant alleged that on October 21, 2011, as she was crossing Martine Avenue at the corner of Court Street, she tripped over the pavement of the raised repaved lane and fell forward, causing her injuries. The County opposed Claimant's application to file a late Notice of Claim and the Court denied her application, noting that she failed to offer a reasonable excuse for her delay, did not establish that the County had notice of a defect, and that the County would be prejudiced as a result of the delay.

Name of Accomplishment: Fletcher v. Cheverko, et ano.

When Initiated: 2012

Current Status: Case dismissed as against County Respondent.

Dollars Saved: Difficult to determine.

Description: Petitioner, an inmate, filed an application seeking an order of the court vacating that portion of the sentence imposed on him that placed him on lifetime parole pursuant to the then applicable Rockefeller Drug Laws. The County moved to dismiss arguing that it was not a proper party to the proceeding as the County Respondent lacks the authority to modify the sentence imposed on Petitioner. The Court granted the motion and Petitioner's claims were dismissed as against County Respondent.

Name of Accomplishment: Golden v. County of Westchester, et al.

When initiated: 2010

Current Status: Case was dismissed.

Dollars Saved: Difficult to estimate, however if the plaintiff were successful, she would have been entitled to attorney's fees in addition to compensatory damages.

Description: Plaintiff was stopped on the Bronx River Parkway by a County Police Officer. Plaintiff alleged that the stop was based on racial profiling. She also alleged that the police officer sexually assaulted her while searching her before placing her in the back of his police car. The complaint was dismissed upon the County's motion for summary judgment.

Name of Accomplishment: Gumbs v. County of Westchester and City of Yonkers

When Initiated: 2011

Current Status: Case was dismissed with prejudice

Dollars Saved: Although it is hard to determine the exact amount of savings, plaintiff sought an amount exceeding \$300,000.00.

Description: Plaintiff alleged that on April 18, 2011, while riding his motorcycle on the Bronx River Parkway North in Yonkers, he was caused to fall off as a result of a cone that was negligently left on the highway. The County moved to dismiss the Summons and Complaint on the basis that plaintiff failed to comply with the Notice of Claim requirements, that although plaintiff filed his summons and complaint in a timely manner, he did not serve it within the time allowed by the statute and he was now time barred from moving to file a late and/or supplemental notice of claim. The court granted the County's motion and dismissed the action with prejudice.

Name of Accomplishment: Henderson v. County Department of Human Resources, et al.

When Initiated: 2013

Current Status: Case was dismissed.

Dollars Saved: Plaintiff was seeking the equivalent of her salary from the date of her separation from employment with the County until her retirement age, plus an additional sum to account for alleged pain, suffering, benefits, and punitive damages.

Description: Plaintiff commenced an action alleging constructive termination, employment discrimination, intentional infliction of emotional distress, and breach of contract. The County successfully moved to dismiss the complaint and the amended complaint.

Name of Accomplishment: Hodge v. Westchester County

When Initiated: 2012

Current Status: Constitutional claims dismissed; remainder of case proceeding to discovery

Dollars Saved: Difficult to estimate - Plaintiff did not put a demand in his Complaint and some claims still pending

Description: Plaintiff, a former inmate, commenced this action for damages alleging that on November 7, 2011, while in the custody of the County Department of Corrections, he was assaulted by another inmate. Plaintiff alleges the County was negligent in its supervision of the inmates, and that it was liable for negligent hiring and training. Plaintiff also alleged that the County was liable under 42 U.S.C. § 1983 for constitutional violations. The County made a motion to dismiss the action. The Court dismissed all claims as against the County except the general negligence claim, which is currently proceeding through discovery.

Name of Accomplishment: Hoey, et al. v. County of Westchester

When Initiated: 2010

Current Status: Case was dismissed.

Dollars Saved: Difficult to determine, but Plaintiffs in this class action sought substantive changes to their health insurance coverage, reimbursement for costs incurred over a 20 year period, plus attorneys' fees and costs.

Description: This class action brought by retired members of the Westchester County Police Benevolent Association sought declaratory judgments that members of the class had a vested lifetime right to health insurance benefits at a specific level—the level at which the benefits were set in the collective bargaining agreement (“CBA”) in effect on the date of their retirement—and that the County was without authority to modify any of the terms of those benefits, including co-pays and deductibles. The class also sought reimbursement for the increased co-pays and deductibles paid by the members of the class, and reimbursement for any additional costs incurred as a result of changes the County made to the health insurance benefits. Following cross-motions for summary judgment, the Court held that there were clear durational limits in the CBAs in question, and that Plaintiffs were not entitled to a vested level of health insurance benefits. The Supreme Court granted the County’s motion for summary judgment and dismissed the case. A notice of appeal has been filed by Plaintiffs.

Name of Accomplishment: Hoffman Investors v. Westchester Co. Human Rights Comm’n

When Initiated: 2012

Current Status: Some claims dismissed, remainder transferred to Appellate Division

Dollars Saved: Difficult to estimate, equitable relief sought and some claims still pending
Description: Petitioner commenced the instant action pursuant to Civil Practice Law and Rules Article 78 seeking an Order amending, vacating and setting aside the Order of the Westchester County Fair Housing Board, confirmed by Order of the County Human Rights Commission because (i) the adoption of the Order was not supported by substantial evidence; and, (ii) the County's adoption of the Fair Housing Laws was in excess of the County's jurisdiction. The County made a motion to dismiss the action. The Court dismissed the claim that the County acted outside its jurisdiction in enacting the Fair Housing Laws. The substantial evidence claim has been transferred to the Appellate Division pursuant to CPLR § 7804(g) for disposition.

Name of Accomplishment: Hrazanek v. Meehan, et al.

When Initiated: 2012

Current Status: Case was dismissed.

Dollars Saved: Difficult to quantify

Description: Petitioner, a former pistol licensee in Westchester County, commenced this action seeking judicial review of the determination to commence a pistol license revocation proceeding against him and the resulting decision by the Court to revoke his pistol license. Petitioner sought the reinstatement of his pistol license and unspecified monetary damages. The Court granted County respondents' motion to dismiss on the basis that respondent failed to state a claim as against the County Clerk, County Attorney, and/or an Assistant County Attorney.

Name of Accomplishment: Jenkins v. Westchester County Dept. of Corrections, et al.

When Initiated: 2012

Current Status: Case was dismissed.

Dollars Saved: Equitable relief sought.

Description: Petitioner brought this special proceeding seeking 60 days of jail time credit. The County's motion to dismiss was granted.

Name of Accomplishment: Joyce-DiBart v. County of Westchester

When Initiated: 2011

Current Status: Case was settled.

Dollars Saved: Difficult to determine but plaintiff was seeking an amount exceeding \$250,000.

Description: Plaintiff alleges that, while an inmate at the Department of Correction ("DOC"), he was attacked and sodomized by other inmates. Plaintiff alleges that he sustained pain and suffering, among other things, as a result of the County's negligent supervision at the County's DOC. This case was settled by payment from the County to plaintiff in the amount of \$50,000, of which \$5,000 was paid to satisfy a Public Assistance lien on the settlement proceeds.

Name of Accomplishment: Kisco Express, et ano v. Longworth, et al.

When Initiated: 2013

Current Status: Case was dismissed.

Dollars Saved: Difficult to determine; however, a loss may have required the re-writing of a portion of the Westchester County Administrative Code related to Taxi & Limousine Commission proceedings. Additionally, a loss would have resulted in lost revenue due to the cessation of certain ticketing rights.

Description: Petitioners commenced a special proceeding alleging the County lacked the authority 1) to issue summonses for certain violations of the Westchester County Administrative Code and NYS Vehicle and Traffic Law in connection with the operation of certain for-hire

vehicles; and 2) to have the summonses returnable before an Administrative Law Judge rather than a City Court Judge. The County successfully argued that the County has the authority to establish the regulations at issue, the regulations are valid, and that they were not being applied in any arbitrary or capricious matter.

Name of Accomplishment: McGill v. County of Westchester, et al.,

When Initiated: 2010

Current Status: Case was dismissed.

Dollars Saved: Difficult to estimate.

Description: Plaintiff was the back seat passenger/customer in a taxi cab stopped at an inspection check point conducted by County Police. The taxi driver sped off from the checkpoint and the County Police pursued the driver until the driver crashed into a van parked at a red light. The Court dismissed the matter in its entirety upon the County's motion for summary judgment.

Name of Accomplishment: Morris v. the County Dept. of Social Services

When Initiated: 2013

Current Status: Case was dismissed.

Dollars Saved: Difficult to determine, but at minimum the County could have been found liable for the child support at issue in the amount of \$12,516.55, plus interest.

Description: Petitioner commenced a special proceeding alleging due process violations and seeking review of a determination by the Department's Child Support Collection Unit to reinstate certain child support debt following the issuance of Satisfactions of Judgments for child support arrears. The County successfully moved to dismiss the case on the basis that, despite the County's failure to notify Petitioner before reinstating the amounts, the money was actually due and owing and Petitioner was aware of that fact.

Name of Accomplishment: Nowakowski v. Westchester County, et al.,

When Initiated: 2009

Current Status: Case was dismissed.

Dollars Saved: Difficult to estimate as plaintiff was seeking compensation for pain, suffering and wrongful death. The decedent left behind a wife and two minor children.

Description: Plaintiff brought the action on behalf of the estate of her husband. Her husband was a Correction Officer and was on General Municipal Law Section 207c leave at the time of his death. The decedent killed himself with a weapon he was licensed to carry. It was alleged that the Department of Correction should have known that the decedent was distraught and that the Department of Public Safety should have revoked his gun license. The Court granted the County's motion to dismiss.

Name of Accomplishment: Nurena v. Westchester Co. Department of Public Safety, et al.

When Initiated: 2012

Current Status: Case was dismissed. Appeal pending.

Dollars Saved: It is difficult to determine.

Description: Plaintiff claimed that WCDPS discriminated against her on the basis of a "perceived" disability when she was terminated from the position of Probationary Police Officer after a background investigation revealed that she had omitted relevant information. The federal claims were dismissed with prejudice and the Court declined to exercise supplemental jurisdiction over the state claims. Plaintiff then filed a complaint and motion to file a late notice of claim in State Court. The Court denied the motion and dismissed the case. Plaintiff has appealed.

Name of Accomplishment: Patterson v. McGuire, et al.

When Initiated: 2012

Current Status: Case was dismissed.

Dollars Saved: Approximately \$3,000

Description: Petitioner brought this special proceeding seeking a finding that the County Department of Social Services failed to honor an application for emergency assistance on the part of the Petitioner. The Petitioner also sought an order compelling the County to pay rent in arrears to her landlord. The Court granted the County's motion to dismiss Petitioner's claims.

Name of Accomplishment: Persico Contracting & Trucking, Inc. v. Solid Waste Commission

When Initiated: 2010

Current Status: Petition was dismissed.

Dollars Saved: Commission's penalty was upheld.

Description: Solid Waste Commission brought administrative charges against Persico for transportation of construction debris without a proper license as required by Chapter 826-a of the Laws of Westchester County. The Administrative Law Judge agreed with the SWC that petitioner was unlicensed but imposed a total fine of \$62,400 (*i.e.*, \$2,600/day for 24 days of transporting debris). The Solid Waste Commission disagreed with the administrative judge's method of calculating violations and imposed a fine of \$5,000 for each of 88 actual transportations of debris over the 24 day period resulting in a fine of \$440,000. Persico filed an Article 78 Proceeding contesting the SWC's determination. However, the Court upheld the SWC's penalty.

Name of Accomplishment: Pomphrey v. County of Westchester, et al.

When Initiated: 2008

Current Status: Case was dismissed.

Dollars Saved: Difficult to estimate.

Description: County police officer was responding to an emergency call for assistance by fellow police officer with lights and siren engaged. Plaintiff was operating a garbage collection vehicle and admitted that he heard sirens but that he believed he could cross the road before the police officer approached. The officer was unable to avoid a collision with plaintiff. The case was dismissed based on the County's motion for summary judgment.

Name of Accomplishment: Shaver v. Cheverko

When Initiated: 2012

Current Status: Case was dismissed. On appeal.

Dollars Saved: It is difficult to determine the dollars saved by this dismissal.

Description: Petitioner, a former inmate at the Westchester County Department of Correction ("DOC") alleged that DOC improperly calculated his sentence. As a result, Petitioner alleged that he was incarcerated for a period of time longer than his sentence required. The Supreme Court found that DOC properly interpreted the Penal Law when calculating Petitioner's sentence and dismissed the Petition. On appeal that decision was overturned the Appellate Division. The case is pending in the New York State Court of Appeals.

Name of Accomplishment: Correction Superior Officers Assoc. v. Westchester County

When Initiated: 2010

Current Status: Case dismissed. On appeal.

Dollars Saved: Difficult to determine, but Plaintiffs sought \$1 million each in damages

Description: The Westchester County Correction Superior Officers Benevolent Association brought an action seeking Workers' Compensation equivalent benefits for correction superior officers claiming permanent partial disability resulting from employment with the County. The Supreme Court granted the County's motion for summary judgment, finding that there was no entitlement under the collective bargaining agreement to these benefits. Plaintiffs have filed a notice of appeal.

Name of Accomplishment: Tamarez De Jesus v. County of Westchester, et al.

When Initiated: 2013

Current Status: Case dismissed.

Dollars Saved: Although it is hard to determine the exact amount of savings, plaintiff alleged that he sustained very serious injuries and sought an amount exceeding Three Million Dollars (\$3,000,000.00.)

Description: Plaintiff alleged that on October 31, 2012, on an inclined hill adjacent to the Metro-North Railroad tracks and approximately 278 feet west of Weaver Street, while in the scope of his employment, a tree that was in the process of being hoisted for removal from the overhead power lines structure was caused to fall and strike claimant thereby causing him to sustain serious injuries. The County moved to dismiss the Summons and Complaint on the basis that it had no involvement, nor responsibility for the area of the accident site. The Court granted the County's motion and the action was dismissed with prejudice against the County.

Name of Accomplishment: Timothy G., et ano. v. West. Co. Dept. of Social Services, et al.

When Initiated: 2013

Current Status: Case was dismissed.

Dollars Saved: It is difficult to determine the dollars saved by this dismissal.

Description: Petitioners brought this special proceeding seeking a review of the determination by the Westchester County Department of Social Services ("DSS") of an "indicated" finding that they maltreated or abused their child. This finding was reviewed and upheld by the New York State Office of Children and Family Services after a hearing. Because the County was bound by the State's determination, the County moved to dismiss Petitioner's claims as the County was not a proper party to the proceeding. The Court granted the County's motion and dismissed the matter.

Name of Accomplishment: Walker v. SDHR and WCC

When Initiated: 2012

Current Status: Case was dismissed.

Dollars Saved: Difficult to estimate

Description: Petitioner, a former WCC employee, commenced this action seeking judicial review of the determination of the NYS Division of Human Rights in an administrative proceeding against WCC. Ultimately, petitioner sought reinstatement of his job and unspecified monetary damages. NYSDHR had concluded that no probable cause existed to support Petitioner's allegation that WCC racially discriminated against him when his employment with WCC was terminated. The Court held that based upon the administrative record presented by WCC, the NYSDHR decision was not arbitrary and capricious and dismissed the proceeding in its entirety.

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

When Initiated: 2013

Current Status: Plaintiff withdrew his claim after the County moved to dismiss the petition.

Dollars Saved: It is difficult to determine the dollars saved by this dismissal.

Description: Plaintiff, a stock clerk with the Westchester Community College (“WCC”), alleged that the County’s determination to suspend him from work without pay pending a determination of disciplinary charges against him was arbitrary and capricious and violated his due process rights. Plaintiff remained on a suspension without pay beyond the 30 day period set forth in the Civil Service Law due to his request that his hearing be adjourned pending the outcome of his related criminal proceedings. The County moved to dismiss the petition as untimely, and for failure to state a cause of action because Petitioner had requested the adjournment. Prior to responding to the County’s motion, Petitioner voluntarily withdrew his petition.

Name of Accomplishment: Williams v. County of Westchester, et al.

When initiated: 2008

Current Status: Case was dismissed.

Dollars Saved: Difficult to estimate, however plaintiff alleged significant injuries.

Description: Plaintiff was involved in a one car accident on the Bronx River Parkway during extremely heavy rainfall. There were no eyewitnesses to the accident. Plaintiff alleged many theories of liability involving the design and maintenance of the roadway. Plaintiff’s complaint was dismissed on the County’s motion for summary judgment and the decision was upheld on appeal.

Name of Accomplishment: Zherka v. County of Westchester

When Initiated: 2012

Current Status: Case was dismissed.

Dollars Saved: Difficult to determine; however, a loss would have required, at minimum, the re-writing of the Laws of Westchester County Chapter 527.

Description: Plaintiff commenced an action seeking judicial review of the “Safe Pistol Storage” Law found in the Laws of Westchester County Chapter 527. The County’s motion for summary judgment was granted following a successful motion to renew and reargue the initial denial of summary judgment.

ADMINISTRATIVE MATTERS

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

Name of Accomplishment: CB v. Westchester Community College (“WCC”)

When Initiated: 2012

Current Status: Case settled; parties entered into a Resolution Agreement.

Dollars Saved: Difficult to determine.

Description: C.B., a student at WCC, filed a complaint with the OCR alleging that the College discriminated against her, on the bases of her race and national origin, by disciplining her more harshly than similarly situated students of other races and national origins, who were accused of plagiarism on an exam. This office submitted a document response, engaged in Early Complaint Resolution (“ECR”), and subsequently entered into a Resolution Agreement. WCC continues to comply with the terms of the Agreement, and the case is now closed.

Name of Accomplishment: CL v. County Department of Correction

When Initiated: 2010

Current Status: Case was dismissed by SDHR.

Dollars Saved: Difficult to determine.

Description: Complainant, who is employed as a Correction Officer, claimed that the Department discriminated against him on the basis of his race by denying him a promotion to a position for which he did not meet the minimum requirements and denied him training. After the County submitted a position statement, and supplemental information, the NYSDHR issued a finding of no probable cause and dismissed the case.

Name of Accomplishment: JO v. County Department of Social Services

When Initiated: 2013

Current Status: Case was dismissed by SDHR.

Dollars Saved: Difficult to estimate- Complainant did not put a demand in her Complaint

Description: J.O., a WCDSS employee, filed a complaint with the SDHR alleging unlawful discrimination related to her employment in violation of Article 15 of the Executive Law of the State of New York (Human Rights Law) because of her sex. After the County submitted a position statement, the SDHR dismissed the case.

Name of Accomplishment: KA v. WCC

When Initiated: 2012

Current Status: Investigation closed.

Dollars Saved: Difficult to determine but Plaintiff alleged disability discrimination.

Description: The County successfully defended the allegation of discrimination, and the Department of Education determined that there was insufficient evidence to sustain a finding of discrimination.

Name of Accomplishment: MC v. Office of the County Clerk

When Initiated: 2010

Current Status: Case dismissed by NYSDHR.

Dollars Saved: difficult to estimate- Complainant did not put a demand in her Complaint

Description: MC, an employee in the County Clerk’s Office, filed a Complaint with the SDHR alleging that she was discriminated against by her co-workers based upon her creed, national origin and race in violation of §296 of the New York State Executive Law and Title VII of the Civil Rights Act of 1964. She further alleged that she was discriminated against based upon the fact she suffers from “asthma”, “high pressure,” and other unspecified disabilities in violation of the ADA. After this office submitted its response to the employee’s allegations, SDHR dismissed the complaint.

Name of Accomplishment: MD v. WCC

When Initiated: 2013

Current Status: Case settled; parties entered into a Resolution Agreement.

Dollars Saved: Difficult to determine.

Description: MD, a student at WCC, filed a complaint with the OCR alleging that the College discriminated against her, on the bases of her race/color, and affiliation with black students, by disciplining her more harshly than similarly situated non-black students, who engaged in plagiarism on a final exam. This office submitted a document response, participated in an investigation, and ultimately entered into a Resolution Agreement. WCC continues to comply with the terms of the Agreement.

Name of Accomplishment: MP v. County Department of Correction I

When Initiated: 2011

Current Status: Complaint was dismissed.

Dollars Saved: Difficult to determine

Description: Plaintiff, a correction officer, brought this action based on race discrimination and retaliation after he was involved in a verbal argument with his superior. Plaintiff alleged various examples of alleged retaliation including changing his work hours. The complaint was dismissed after a fact finding hearing and a no probable cause letter was issued.

Name of Accomplishment: MP v. County Department of Correction II

When Initiated: 2012

Current Status: Complaint was dismissed.

Dollars Saved: Difficult to determine

Description: Plaintiff, a correction officer, brought this action (similar to the earlier action) based on race discrimination and retaliation after he was involved in a verbal argument with his superior during 2012. Plaintiff alleged various examples of alleged retaliation including changing his work hours. The complaint was dismissed after a fact finding hearing and a no probable cause letter was issued.

Name of Accomplishment: PA v. Westchester County

When Initiated: 2010

Current Status: Case withdrawn by Complainant.

Dollars Saved: Difficult to estimate- Complainant did not put a demand in his Complaint

Description: PA filed a complaint with the SDHR, alleging “an unlawful discriminatory practice relating to public accommodation” in violation of the New York State Human Rights Law because his son (who was wearing a turban for religious reasons) was prevented from entering a ride with safety restrictions pertaining to headgear. Subsequent to this office’s submission of a response to the allegations, Complainant withdrew the Complaint.

Arbitrations

Name of Accomplishment: Correction Officers Benevolent Assoc. (“COBA”) v. County Department of Correction

When Initiated: 2013

Current Status: Grievance denied

Dollars Saved: Difficult to determine.

Description: In this grievance arbitration, the union challenged the County’s policy requiring that retirees must have at least five years of service to qualify for retiree healthcare benefits. It was the union’s contention that the changes made to the collective bargaining agreement (“CBA”) in May of 2012 should be read to have removed the five year requirement for correction officers who retired after

May 2, 2012. In denying the grievance, the arbitrator found that the parties never discussed the five year requirement when the 2012 agreement was negotiated.

Name of Accomplishment: Civil Service Employees Association (“CSEA”) v. Office of the County Clerk

When Initiated: 2012

Current Status: Grievance denied

Dollars Saved: Difficult to determine.

Description: In this arbitration, the union challenged the altering of work schedules for 18 employees of the County Clerk’s office who were working a four-day work week to an ordinary five-day work week.

In his Award, the arbitrator denied the grievance finding that the County was able to show that the change would result in increased efficiencies and cost savings.

Name of Accomplishment: CSEA v. County Department of Social Services

When Initiated: 2012

Current Status: Grievance denied

Dollars Saved: Difficult to determine.

Description: In this arbitration, the union challenged the altering of work schedules for 9 DSS employees who were working a four-day work week to an ordinary five-day work week. In his Award, the arbitrator denied the grievance finding that the County was able to show that a reduction in the Department’s workforce necessitated a redeployment of the workforce, which resulted in the altering of employee schedules.

Name of Accomplishment: Police Benevolent Association (“PBA”) v. County Department of Public Safety

When Initiated: 2011

Current Status: Improper practice granted in part and denied in part

Dollars Saved: Difficult to determine.

Description: In this administrative matter, the PBA challenged two of the proposals contained in the County’s response to the PBA’s petition for interest arbitration (“petition”). Specifically, the PBA alleged that the County breached its duty to bargain in good faith when it included in its response to the petition for interest arbitration, a proposal for a new ten step salary schedule and a proposal that would give the County the exclusive right to determine the method and means of prisoner transport, including the right to utilize personnel from outside the bargaining unit to perform the work. Ultimately, the administrative law judge granted the Charge in part, ordering the County to withdraw its proposal regarding prisoner transports but denied the remainder of the Charge, allowing the County’s proposal regarding a ten step salary scale to be included in the negotiations.

Name of Accomplishment: Superior Correction Officers Benevolent Assoc. v. County Department of Correction

When Initiated: 2012

Current Status: Grievance denied

Dollars Saved: Difficult to determine.

Description: In this grievance arbitration, the union challenged the Department’s practice of not providing “on-call pay” to bargaining unit members in the special investigations unit (“SIU”) who were expected to be available by telephone while off-duty. In denying the grievance, the arbitrator relied on

the fact that SIU officers who were expected to be reachable while off duty, were not restricted to a location or required to notify the Department of their off-duty location.

Name of Accomplishment: Matter of RM

When Initiated: 2012

Current Status: Case closed

Dollars Saved: Difficult to determine

Description: Department of Correction's application for Article 15 disability retirement was granted. This decision opens a line for new employees and alleviates the payment of the correction officer's salary while he was disabled.

Recovery of Medicaid Claims/Liens:

New York Social Services Law enables the County to procedurally enforce its substantive right to pursue repayment from the responsible third parties by the placement of a lien for public 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 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.

Name of Accomplishment: In the Matter of AD

When Initiated: 2013

Current Status: Resolved

Dollars Saved: Recovery of \$165.67 in Medicaid expenditures

Description: The Medicaid recipient received a recovery from a personal injury matter. The County negotiated with the recipient's attorney to recover that portion of the settlement representing compensation for medical expenses in accordance with New York Social Services Law §104-b.

Name of Accomplishment: Estate of BM

When Initiated: 2012

Current Status: Resolved

Dollars Saved: Recovery of \$20,112.23 in Medicaid expenditures.

Description: Upon the Surrogate's Court determination, the County was allocated 65% of the net proceeds of a personal injury settlement for the expenditure of Medicaid benefits made on behalf of the decedent.

Name of Accomplishment: In the Matter of BR

When Initiated: 2011

Current Status: Resolved

Dollars Saved: Recovery of \$135,000.00 in Medicaid expenditures

Description: The Medicaid recipient received a recovery from a personal injury matter. The County negotiated with the recipient's attorney to recover public assistance expenses and that portion of the settlement representing compensation for medical expenses in accordance with New York Social Services Law §104-b.

Name of Accomplishment: In the Matter of CC

When Initiated: 2012

Current Status: Resolved

Dollars Saved: Recovery of \$2,581.27 in Medicaid expenditures

Description: The County pursued recovery upon termination of a Supplemental Needs Trust and negotiated with the Estate attorney to obtain full recovery of the Medicaid benefits paid without the need for protracted litigation.

Name of Accomplishment: In Re the Matter of DB

When Initiated: 2012

Current Status: Resolved.

Dollars Saved: Recovery of \$332,616.22 in Medicaid expenditures.

Description: The County successfully asserted its right to recover Medicaid monies expended on behalf of program participants as a result of a personal injury in accordance with Social Services Law §104-b.

Name of Accomplishment: In the Matter of ER

When Initiated: 2013

Current Status: Resolved

Dollars Saved: Recovery of \$338.72 in Medicaid and Public Assistance expenditures

Description: The Medicaid recipient received a recovery from a personal injury matter. The County negotiated with the recipient's attorney to obtain full recovery of the Medicaid benefits as well as expenditures for Public Assistance.

Name of Accomplishment: In the Matter of JC

When Initiated: 2013

Current Status: Resolved

Dollars Saved: Recovery of \$16,333.97 in Medicaid and Public Assistance expenditures

Description: The Medicaid recipient received a recovery from a personal injury matter. The County negotiated with the recipient's attorney to obtain full recovery of the Medicaid benefits as well as expenditures for Public Assistance.

Name of Accomplishment: In Re the Matter of JH

When Initiated: 2013

Current Status: Resolved.

Dollars Saved: Recovery of \$480.39 in Medicaid expenditures

Description: The County successfully asserted its right to recover Medicaid monies expended on behalf of program participants as a result of a personal injury in accordance with Social Services Law §104-b.

Name of Accomplishment: In Re the Matter of JS

When Initiated: 2012

Current Status: Resolved.

Dollars Saved: Recovery of \$30,538.84 in Medicaid expenditures

Description: The County successfully asserted its right to recover Medicaid monies expended on behalf of program participants as a result of a personal injury in accordance with Social Services Law §104-b.

Name of Accomplishment: In the Matter of LM

When Initiated: 2012

Current Status: Resolved

Dollars Saved: Recovery of \$9,074.44 in Medicaid expenditures

Description: The Medicaid recipient received a recovery from a personal injury matter. The County negotiated with the recipient's attorney to obtain full recovery of the Medicaid expenditures.

Name of Accomplishment: In the Matter of MB

When Initiated: 2012

Current Status: Resolved

Dollars Saved: Recovery of \$577.56 in Medicaid expenditures

Description: The Medicaid recipient received a recovery from a personal injury matter. The County negotiated with the recipient's attorney to obtain full recovery of the Medicaid expenditures.

Name of Accomplishment: In the Matter of MH

When Initiated: 2013

Current Status: Resolved

Dollars Saved: Recovery of \$372.21 in Medicaid expenditures.

Description: The Medicaid recipient, a minor, received a recovery from a personal injury matter. The County negotiated with the recipient's attorney to recover the entire New York Social Services Law §104-b lien.

Name of Accomplishment: In Re the Matter of MM

When Initiated: 2011

Current Status: Resolved

Dollars Saved: Recovery of \$67,439.33 in Medicaid.

Description: The County successfully defeated a motion for priority by the nursing home seeking to assert its claim for payment in front of the County's Medicaid lien, and was able to recover against the sale of the recipient's home.

Name of Accomplishment: In the Matter of NH

When Initiated: 2013

Current Status: Resolved

Dollars Saved: Recovery of \$60,827.51 in Medicaid expenditures.

Description: The Medicaid recipient received a recovery from a personal injury matter. The County negotiated with the recipient's attorney to recover that portion of the settlement representing compensation for medical expenses in accordance with New York Social Services Law §104-b.

Name of Accomplishment: In the Matter of OA

When Initiated: 2012

Current Status: Resolved

Dollars Saved: Recovery of \$50,000.00 in Medicaid expenditures

Description: The Medicaid recipient received a recovery from a personal injury matter. The County

negotiated with the recipient's attorney to recover public assistance expenses and that portion of the settlement representing compensation for medical expenses in accordance with New York Social Services Law §104-b.

Name of Accomplishment: In the Matter of RE

When Initiated: 2011

Current Status: Resolved

Dollars Saved: Recovery of \$1,471.21 in Medicaid expenditures

Description: The Medicaid recipient received a recovery from a personal injury matter. The County negotiated with the recipient's attorney to recover public assistance expenses and that portion of the settlement representing compensation for medical expenses in accordance with New York Social Services Law §104-b.

Name of Accomplishment: In the Matter of RR

When Initiated: 2011

Current Status: Resolved

Dollars Saved: Recovery of \$83,812.06 in Medicaid expenditures

Description: The Medicaid recipient received a recovery from a personal injury matter. The County negotiated with the recipient's attorney to recover the full amount of Medicaid expended in accordance with New York Social Services Law §104-b.

Name of Accomplishment: In the Matter of ST

When Initiated: 2013

Current Status: Resolved

Dollars Saved: Recovery of \$7,000.00 in Medicaid expenditures

Description: The Medicaid recipient received a recovery from a personal injury matter. The County negotiated with the recipient's attorney to recover the full amount of Medicaid expended in accordance with New York Social Services Law §104-b.

Name of Accomplishment: In the Matter of SW

When Initiated: 2011

Current Status: Resolved

Dollars Saved: Recovery of \$35,000.00 in Medicaid expenditures

Description: The Medicaid recipient received a recovery from a personal injury matter. The County negotiated with the recipient's attorney to recover public assistance expenses and that portion of the settlement representing compensation for medical expenses in accordance with New York Social Services Law §104-b.

Name of Accomplishment: In the Matter of TM

When Initiated: 2013

Current Status: Resolved

Dollars Saved: Recovery of \$217.06 in Medicaid expenditures

Description: The Medicaid recipient received a recovery from a personal injury matter. The County negotiated with the recipient's attorney to recover that portion of the settlement representing compensation for medical expenses in accordance with New York Social Services Law §104-b.

Name of Accomplishment: Estate of VS

When Initiated: 1998

Current Status: Resolved

Dollars Saved: Recovery of \$220,934.20 in Medicaid expenditures and interest

Description: The County successfully moved to have an Administrator appointed to disburse the proceeds of the Estate after resolving several issues, including the dereliction of duties of several fiduciaries, the evaluation and sale of real property, and the location of funds previously collected and not distributed. Due to the extensive work and the delays resulting from the inaction of the several fiduciaries who had been appointed since the death of VS, the County also sought, and received, statutory interest on the amount expended.

Name of Accomplishment: In Re the Matter of XL

When Initiated: 2013

Current Status: Resolved

Dollars Saved: Recovery of \$690.06 in Medicaid expenditures

Description: The County successfully asserted its right to recover Medicaid monies expended on behalf of program participants as a result of a personal injury in accordance with Social Services Law §104-b.

Name of Accomplishment: Claim against ExxonMobil

When Initiated: 2011

Current Status: Resolved

Dollars Saved: \$163,350.00

Description: The County Attorney's office assisted in negotiating a settlement for reimbursement of current and future expenses for remediation of contamination discovered at Westchester County Airport. Negotiations resulted in the above amount to be paid to the County.

Name of Accomplishment: Claim of Frontier Chemical Royal Avenue Superfund Site PRP Group

When Initiated: 2011

Current Status: Resolved

Dollars Saved: Difficult to determine

Description: The County received notification that it was a generator of contaminated and hazardous waste that was ultimately deposited at the Frontier Chemical Royal Avenue Site, a 9 acre parcel located in industrialized area of Niagara Falls, NY, in or about 1992. This matter arises under the strict, retroactive, joint and several liability provisions of the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA" – 42 USC §9601). It was determined that the County should take advantage of an early cash-out settlement by paying the sum of \$4,500. Had the County elected to litigate its exposure, attorneys and expert witness fees alone would have been in the range of \$50,000 to \$75,000; and this does not include damages upon a finding of liability which would have been significantly more than the settlement payment.

Name of Accomplishment: Claim against General Electric

When Initiated: 2010

Current Status: Resolved

Dollars Received: \$2,667,000.00

Description: The County Attorney's office negotiated a settlement with GE for contamination discovered at Hangar E1, Westchester County Airport, during renovations undertaken by new tenant JP Morgan. JP Morgan undertook to remediate the contamination and received a rent abatement from the County for its costs. This office negotiated a settlement amount for the value of the rent abatement as well as additional funds for future expenses should same become necessary. If no future remediation is necessary, the remaining funds remain with the County.

Name of Accomplishment: Claim of Marine Shale Processors Site PRP Group

When Initiated: 2013

Current Status: Resolved

Dollars Saved: Difficult to determine

Description: The County was alleged to have generated and then have deposited 14,580 tons of hazardous and contaminated waste onto the Marine Shale Processors site located in Louisiana in or about 1993. This matter arises under the strict, retroactive, joint and several liability provisions of the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA" – 42 USC §9601). It was determined that the County should take advantage of an early cash-out settlement by paying the sum of \$14,580. Had the County elected to litigate, its exposure, attorneys and expert witness fees alone would have been in the range of \$50,000 to \$75,000; and this does not include damages upon a finding of liability which would have been significantly more than the settlement payment.

Name of Accomplishment: 2013 Con Edison Initiated Proceedings with the New York State Public Service Commission to Increase Electric, Gas and Steam Rates

When Initiated: 2013

Current Status: Pending

Dollars Saved: Unknown at this time.

Description: In February 2013, Con Edison filed petitions to increase its electric, gas and steam rates. The County Law Department retained the specialized utility law firm of Duncan, Weinberg, Genzer and Pembroke ("DWGP") as outside counsel, and works with them daily to analyze, prepare for and review all stages of the administrative proceedings. Such cooperative efforts between the Law Department and DWGP include preparation of expert testimony for submission, conducting of the hearing, issues for post trial briefing and advisement on proposed settlement negotiations. If Con Edison's requested rate increase went unopposed, the annual cost to the County could be upwards of approximately (\$2,000,000), with aggregate additional costs to other municipal entities in the County potentially in the tens of millions of dollars per year and with Con Ed's electrical residential and business customers within County potentially incurring up to a 4.2 percent increase in rates in just the year 2014.

Name of Accomplishment: Freedom of Information Law ("FOIL") Advisement

When Initiated: Ongoing

Current Status: Ongoing

Dollars Saved: Difficult to Determine.

Description: Provide FOIL advisement to all County Departments as well as addressing FOIL requests to the Law Department itself. FOIL advisement encompasses advising the FOIL officers for each County department to ensure the County's correct and timely performance of its FOIL obligations.

Name of Accomplishment: Collection matters

When Initiated: Ongoing

Current Status: Ongoing

Dollars Saved: Collection of outstanding fines

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

Name of Accomplishment: Westchester County Ethics Board

When Initiated: Ongoing

Current Status: Ongoing

Dollars Saved: Difficult to Determine.

Description: Act as legal counsel to the Westchester County Ethics Board, including attendance at Board meetings.

Name of Accomplishment: Public Improvement Liens

When Initiated: Ongoing

Current Status: Ongoing

Dollars Saved: N/A

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

Name of Accomplishment: Public Safety Civil Unit

When Initiated: Ongoing

Current Status: Ongoing

Dollars Saved: N/A

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

Name of Accomplishment: Wage Garnishments

When Initiated: Ongoing

Current Status: Ongoing

Dollars Saved: N/A

Description: Provide legal advice and counsel to the Department of Finance and WCC in connection with the processing of income executions and other wage garnishments of County employees.

Name of Accomplishment: Supplemental Needs Trusts

When Initiated: Ongoing

Current Status: Ongoing

Dollars Saved: Difficult to Determine.

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

Family Court Bureau

Name of Accomplishment: 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 Accomplishment: 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 Accomplishment: 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 assistant district attorneys and train probation officers as a need is identified, and remain in continuous contact the probation department.

Name of Accomplishment: 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 Accomplishment: 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 Accomplishment: 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 Accomplishment: 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.