

46555

April 23, 2015

To: Honorable Members of the  
Board of Acquisition and Contract

From: Robert F. Meehan  
County Attorney

Re: Request for authorization to Settle the Lawsuit of Roseann Calcagni v. Westchester County, Westchester County Department of Transportation, Bee-Line System a/k/a Bee Line Bus Company, Liberty Lines Transit, Inc., Liberty Lines Express, Inc., Liberty Lines and Julio O. Silva, by payment from the County of Westchester to Roseann Calcagni, in an amount not to exceed \$74,500.

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Attached for your consideration is a resolution which, if approved by your Honorable Board, would authorize settlement of the lawsuit entitled Roseann Calcagni v. Westchester County, Westchester County Department of Transportation, Bee-Line System a/k/a Bee Line Bus Company, Liberty Lines Transit, Inc., Liberty Lines Express, Inc., Liberty Lines and Julio O. Silva, by payment from the County of Westchester to Roseann Calcagni, in an amount not to exceed \$74,500.

This action was commenced by plaintiff Roseann Calcagni, in the Supreme Court of the State of New York, County of Westchester.

Plaintiff, Roseann Calcagni alleges that on October 25, 2010, at approximately 7:20 a.m., as she crossed the street at the intersection of Lincoln Avenue and 5<sup>th</sup> Avenue in Pelham, New York, she was struck about her lower back by a Liberty Lines bus, which caused her to fall to the ground and sustain injury.

Plaintiff further alleges that as a result of the incident she sustained internal derangement of the right knee requiring corrective surgery, aggravation of a pre-existing lumbar derangement and periodically experiences pain in her lower back.





## RESOLUTION

Upon the communication of the County Attorney, it is hereby

RESOLVED, that the County Attorney is hereby authorized to settle the lawsuit of Roseann Calcagni v. Westchester County, Westchester County Department of Transportation, Bee-Line System a/k/a Bee Line Bus Company, Liberty Lines Transit, Inc., Liberty Lines Express, Inc., Liberty Lines and Julio O. Silva, by payment from the County of Westchester to Roseann Calcagni in an amount not to exceed \$74,500.00; and it is further

RESOLVED, that the County Attorney or his designee is authorized to execute any documents necessary to implement this resolution.

Original Agreement	\$	
First Amendment	\$	
<b>This Amendment</b>	\$	
TOTAL	\$	

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	44	2100	4924		\$74,500.00

Budget Funding Year(s) 2015 Start Date 1/1/2015 End Date 12/31/2015  
 (must match resolution)

Funding Source Tax Dollars \$74,500.00

State Aid \_\_\_\_\_

**\$ 74,500.00** Federal Aid \_\_\_\_\_

(must match resolution) Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACTS 05/22/2015 JONARY VEIRA, SECRETARY