

**41540**

Date: July 29, 2014

To: The Honorable Board of Acquisition and Contract

From: Thomas J. Lauro, PE  
Commissioner of Environmental Facilities

Re: Resolution to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)xxi thereof, an agreement with Samuel G. Fredman, Esq., pursuant to which Mr. Fredman provide hearing officer services to the County and hold hearings on an "as needed" basis in connection with violations of the County Source Separation Law pursuant to Chapter 825 of the Laws of Westchester to the County of Westchester.

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Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures an agreement between the County of Westchester (the "County"), acting by and through the Westchester County Department of Environmental Facilities ("DEF"), and Samuel G. Fredman, Esq., pursuant to which Mr. Fredman will provide hearing officer services to the County and hold hearings on an "as needed" basis in connection with violations of the County Source Separation Law pursuant to Chapter 825 of the Laws of Westchester, for the period May 1, 2014 through April 30, 2015.

Mr. Fredman has led a distinguished career as an attorney, judge and arbitrator since he began practicing law in 1949. From 1989-2000, Mr. Fredman served as a justice of the Supreme Court of the State of New York, Ninth Judicial Circuit. After retiring from the bench, he became a private arbitrator and mediator, roles in which he continues to serve as an of counsel at Wilson, Elser, Moskowitz, Edelman & Dicker, LLP. Mr. Fredman has been recognized with over 22 awards and honors during his lifetime, including the American Academy of Matrimonial Lawyers Distinguished Service Award, Pennsylvania State University Distinguished Alumnus Award, and Westchester Holocaust Commission Distinguished Service Award. In addition, he served in the U.S. Army Air Forces in the South Pacific Theater during and after World War II. Mr. Fredman has been providing hearing officer services to the County since 2008.

Based upon the foregoing, it is proposed that the best interests of the County would be served by exempting this agreement from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof. Therefore, a resolution to

exempt this procurement is hereby submitted for your consideration.  
TL/eos/mn

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/21/2014 - JOMARY VIEIRA, SECRETARY

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## **RESOLUTION**

Upon a communication from the Commissioner of Environmental Facilities, be it hereby

**RESOLVED**, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester (the "County") in connection with the procurement of an agreement with Samuel G. Fredman, Esq., pursuant to which Mr. Fredman will provide hearing officer services to the County and hold hearings on an "as needed" basis in connection with violations of the County Source Separation Law pursuant to Chapter 825 of the Laws of Westchester, for the period May 1, 2014 through April 30, 2015.

APPROVED BOARD OF ACQUISITION CONTRACT # 08/21/2014 JOMARY VIEIRA, SECRETARY