

113087**DATE:** February 19, 2026**TO:** Board of Acquisition and Contract**FROM:** Sherlita Amler, MD
Commissioner of Health**RE:** Authority to enter into contracts with Frank A. Acocella, Hal B. Greenwald, and Lyndon D. Williams to serve as Hearing Officers, alongside other Hearing Officers already retained by the Westchester County Health Department, for the term of March 1, 2026 through February 28, 2027, in a total aggregate amount not to exceed \$70,000.00 for all WCDH Hearing Officers, payable pursuant to approved contract rates and subject to appropriations.

The County of Westchester (the "County"), acting by and through its Department of Health ("WCDH"), is requesting authority from your Honorable Board to enter into contracts with Frank A. Acocella, Hal B. Greenwald, and Lyndon D. Williams to serve as Hearing Officers, alongside other Hearing Officers already retained by WCDH, for the term of March 1, 2026 through February 28, 2027, in a total aggregate amount not to exceed \$70,000.00 for all WCDH Hearing Officers, payable pursuant to approved contract rates and subject to appropriations (the "Agreements").

WCDH will pay the Hearing Officers a per diem fee calculated at the rate of \$150.00 per hour, not to exceed \$900.00 in any one day and \$75.00 for each Report of Findings issued.

The Agreements will promote the public health, safety, and general welfare of County residents by enforcing the Public Health Laws of the State of New York and the Westchester County Sanitary Code. The Hearing Officers preside over and adjudicate cases regarding violations concerning health and safety, and provide County residents with due process during the Administrative Hearing process. The goal of the Agreements is to have professional, experienced, objective representation and interpretation of code rules and regulations, and report the case findings before the Westchester County Board of Health (the "Board"). In 2025, WCDH Hearing Officers presided over approximately 1,381 cases involving various sanitary code and public health law violations.

As written in the Uniform Procedures for the Designation of Hearing Officers in accordance with Section 309 of the Public Health Laws of the State of New York and Section 873.202 of the Laws of Westchester County, the Board is "responsible for and authorized to designate by resolution qualified persons as Hearing Officers" on an annual basis. The above-named Hearing Officers are new candidates for 2026 and have been reviewed and approved as Hearing Officers by the Board at its February 2026 meeting.

The Agreements will be tracked and monitored by the WCDH's and the Board's monthly review of cases and findings and periodic meetings with the Hearing Officers.

Authority to exempt the Agreements from the requirements of the County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, has been submitted for your Honorable Board's consideration via a separate Resolution of even date herewith.

Accordingly, I respectfully recommend your Honorable Board's approval of the attached Resolution.

SA/DC/mcz
Attachment

RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF HEALTH, BE IT HEREBY

RESOLVED, that the County of Westchester (the "County"), acting by and through its Department of Health ("WCDH"), is hereby authorized to enter into contracts with Frank A. Acocella, Hal B. Greenwald, and Lyndon D. Williams to serve as Hearing Officers, alongside other Hearing Officers already retained by WCDH, for the term of March 1, 2026 through February 28, 2027, in a total aggregate amount not to exceed \$70,000.00 for all WCDH Hearing Officers, payable pursuant to approved contract rates (the "Agreements"); and be it further

RESOLVED, that the Agreements shall be subject to County appropriations; and be it further

RESOLVED, that the Agreements are subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of the Agreements. Each of the Agreements shall contain a provision that the County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of the State Budget or any amendments thereto, and for a reasonable period of time after such releases(s) or adoption(s) to conduct an analysis of the impacts of any State Budget on County finances. After such analysis, the County shall retain the right to either terminate the contracts or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount and/or rate to any of the above Hearing Officers, then the Hearing Officers shall have the right to terminate their contract upon reasonable prior written notice; and, be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Original Agreement \$
 First Amendment \$
This Amendment \$ _____
 TOTAL \$ _____

Agreement #

Account to be Charged/Credited			Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars
	Fund	Dept				
	101	27	0010 - HSSN	4380-31		\$58,333 (2026)
	101	27	0010 - HSSN	4380-31		\$11,667 (2027)

Budget Funding Year(s) (must match resolution)	2026-2027	Start Date	03/01/26	End Date	02/28/2027
Funding Source	Tax Dollars		\$44,800		
	State Aid		\$25,200		
\$70,000	Federal Aid				
(must match resolution)	Other				