

**113088****DATE:** February 19, 2026**TO:** Board of Acquisition and Contract**FROM:** Sherlita Amler, MD  
Commissioner of Health**RE:** Resolution to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, the procurement of agreements 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.

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures (the "Policy"), pursuant to Section 3(a)(xxi) thereof, the procurement of agreements (the "Agreements") 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 Department of Health ("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.

Ordinarily, under Section 5(b) of the Policy, the County of Westchester (the "County") is required to solicit written quotations from no fewer than three (3) persons customarily providing such goods or services and, if deemed appropriate, to inquire as to the qualifications and experience of such persons. However, the rates paid to WCDH Hearing Officers are established in accordance with public policy by the Board of Health, the Deputy Commissioner for Environmental Health, and the County Department of Health's Finance Division and set to be equitable and consistent with what neighboring counties pay for individuals of similar legal and public health law experience. Moreover, the County Board of Health has reviewed the Hearing Officers' qualifications at its February 2026 meeting and the Hearing Officers have been approved pursuant to 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. Potential Hearing Officer candidates are referred to WCDH by the County Executive's office to ensure, (i) that the selected officers have diverse backgrounds and experiences, and (ii) that public hearings are conducted with fair representation. As such, compliance with the requirements of Section 5(b) in this instance would be duplicative and unnecessary, would not constitute a prudent use of WCDH resources, and would therefore not be in the best interests of the County.

Pursuant to Section 3(a)(xxi), the Policy is not applicable to any procurement for which this Honorable Board determines, by resolution passed prior to commencing such procurement, that compliance with the Policy would not be in the best interests of the County. For the reasons set forth above, it is proposed that the best interests of the County would be served by exempting the procurement of these Agreements from the Policy.

Accordingly, a Resolution to exempt the procurement of the Agreements with the Hearing Officers named above is hereby submitted for your Honorable Board's consideration.

Attachment  
SA/DC/JRC/mcz

**RESOLUTION**

UPON A COMMUNICATION FROM THE COMMISSIONER OF HEALTH, 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 written price quotations, is neither cost effective nor expedient, and accordingly, not in the best interest of the County of Westchester in connection with the procurement of agreements 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 ("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.

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/05/2026 - RAYMOND SCULKY, SECRETARY