

**A RESOLUTION AUTHORIZING
THE SETTLEMENT OF THE CLAIM OF
ROSANA GOMES v. CITY OF MOUNT VERNON**

WHEREAS, on May 29, 2024, a Notice of Claim was filed by Rosana Gomes against the City of Mount Vernon alleging violations because she was struck by a falling tree branch while walking on a public sidewalk in front of 230 Summit Avenue in the City of Mount Vernon. Plaintiff contends that the subject tree was in a visibly deteriorated and decayed condition for an extended period prior to the incident and that the City failed to properly maintain or remediate the condition. Plaintiff further alleges that she sustained injuries to her head, left shoulder, and left hand as a result of the incident. It is undisputed that the City owned and was responsible for maintenance of the subject tree, personal injuries, and seeking damages in the amount of \$5,000,000.00; and

WHEREAS, the City of Mount Vernon was subsequently served with a summons and complaint arising out of the same February 16, 2024; and

WHEREAS, following review and evaluation of the claim, the Corporation Counsel, by correspondence dated April 16, 2026, has recommended that the Board of Estimate and Contract approve a settlement of the claim in the amount of \$50,000.00;

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Estimate and Contract hereby authorizes the settlement of the claim of Rosana Gomes in the amount of \$50,000.00; and be it further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment of said amount from Budget Code A1930.494 (Judgments and Settlements) in the 2026 Budget.