

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

SERGIO SERRATTO, ANTHONY AGUIRRE, IDA
MICHAEL, and KATHLEEN SIGUENZA

Plaintiffs,

– against –

TOWN OF MOUNT PLEASANT and TOWN
BOARD OF THE TOWN OF MOUNT PLEASANT,

Defendants.

Index No. 55442/2024

**STIPULATION OF
SETTLEMENT AND AGREED
ORDER**

Plaintiffs Sergio Serratto, Anthony Aguirre, Ida Michael, and Kathleen Siguenza (collectively, “Plaintiffs”) and Defendants Town of Mount Pleasant and Town Board of the Town of Mount Pleasant (collectively, “Defendants” and with “Plaintiffs,” the “Parties”) stipulate and agree to entry of this Order (“Stipulation & Agreed Order”) as follows:

STIPULATIONS

1. Defendant Town of Mount Pleasant is a political subdivision of the State of New York having its principal office at One Town Hall Plaza, Town Hall, Valhalla, NY 10595.
2. Defendant Town Board of Mount Pleasant is the Town’s legislative and policy-making authority.
3. The Town Board is currently comprised of five individuals: the Town Supervisor and four members of the Town Board, all of whom are elected by majority vote of the entire electorate of the Town.
4. The Town Supervisor is the chief elected official of the Town and serves a two-year term.
5. The four Town Board members are elected to staggered, four-year terms.

6. New York law does not mandate the current at-large method to elect the Town Board. NY Election Law § 17-206.

7. Plaintiffs, by their attorneys, Abrams Fensterman LLP, and Election Law Clinic at Harvard Law School commenced this action by summons and complaint dated January 9, 2024, for relief under the John R. Lewis New York Voting Rights Act (Election Law § 17-200 et seq.) (“NYVRA” or the “Act”) alleging that the at-large system currently used by the Town of Mount Pleasant to elect members of the Town Board dilutes the voting power of Hispanic residents in violation of the Act (the “Action”).

8. Defendants have not conceded and do not concede the ultimate issue of liability in this Action.

9. Further expenditure of resources and funds on litigation over the Action is not likely to be in the interest of Plaintiffs, Defendants, or the public.

10. Solely as a matter of compromise, and without admission of any liability, the Parties have agreed to establish a new system for the election of Town Board members in the Town of Mount Pleasant that complies with the Act and all other applicable legal requirements as specified in this Stipulation & Agreed Order. The new electoral system established by this Stipulation & Agreed Order complies with the NYVRA and all other applicable federal, state, and local legal requirements.

11. Accordingly, to avoid unnecessary, costly, and divisive litigation, on March 10, 2026, at a duly-called meeting, and in compliance with the Open Meetings Law, the Town Board of the Town of Mount Pleasant unanimously resolved to settle this Action through this Stipulation & Agreed Order.

12. Plaintiffs and Defendants have the authority to enter into this settlement and this

Stipulation & Agreed Order.

NOW, THEREFORE, BASED UPON THE STIPULATIONS AND AGREEMENT OF THE PARTIES, IT IS HEREBY ORDERED THAT:

13. This Court has jurisdiction of this Action pursuant to Election Law § 17-106(4).

14. Venue is proper in this court pursuant to Election Law § 17-206(4), CPLR 504, because the Town is situated in Westchester County, and CPLR 503(a), because Plaintiffs reside in Westchester County.

15. This Court has authority under Election Law §17-206(5) to adopt the measures provided for in this Stipulation & Agreed Order.

16. This Court has authority to order the adoption of a new electoral system for the Town of Mount Pleasant that ensures compliance with the NYVRA and all other applicable legal requirements.

17. Effective for the 2027 election year and each election year thereafter, unless a different electoral system is adopted (a) pursuant to requirements of state or federal law (such as following a decennial Census), (b) through a valid action under and compliant with New York and federal law, or (c) other valid court order, Defendants, their officers, agents, employees, successors and all other persons acting in concert with any of them shall cease conducting elections for the Town Board of the Town of Mount Pleasant under the current at-large method and members of the Town Board of the Town of Mount Pleasant will be elected from districts, as follows:

- a. The Town Board will consist of six members plus the Supervisor.
- b. The six members of the Town Board other than the Supervisor will be elected from districts as defined in Exhibit A to this Stipulation & Agreed Order. The Supervisor will continue to be elected at-large.

- c. Four members of the Town Board will be elected from District 1, one member will be elected from District 2, and one member will be elected from District 3.
- d. The terms of office of the members of the Town Board elected in 2027 and thereafter will be as follows:
 - i. The successors to the two members of the Town Board whose terms currently end in 2027, namely Danielle Zaino and Mark Saracino (who shall be eligible for re-election), will be elected from District 1 at the 2027 and the 2030 general elections for terms commencing January 1, 2028, and January 1, 2031, respectively, and then every four years thereafter in accordance with New York law. Whoever wins the 2027 elections for those positions will be eligible for re-election.
 - ii. The successors to the two members of the Town Board whose terms currently end in 2028, namely Joseph Bonanno and Thomas Sialiano (who shall be eligible for re-election), will be elected from District 1 at the 2028 and 2032 general elections for terms commencing January 1, 2029, and January 1, 2033, respectively, and then every four years thereafter in accordance with New York law. Whoever wins the 2028 elections for those positions will be eligible for re-election.
 - iii. At the 2027 general election, one member of the Town Board will be elected from District 2 for a term of three years, commencing January 1, 2028, and ending December 31, 2030. The successor to that member of the Town Board will be elected at the general election in 2030, for a term commencing on January 1, 2031, and concluding on December 31, 2034, and then every four

years thereafter in accordance with New York law.

- iv. Also at the 2027 general election, one member of the Town Board will be elected from District 3 for a term of three years, commencing January 1, 2028, and ending December 31, 2030. The successor to that member of the Town Board will be elected at the general election in 2030, for a term commencing on January 1, 2031, and concluding on December 31, 2034, and then every four years thereafter in accordance with New York law.

18. In accordance with New York law, the Town Clerk of the Town of Mount Pleasant will make and transmit to the Westchester County Board of Elections a certificate stating the offices to be filled at the general election to be held in November 2027 as provided in this Stipulation & Agreed Order. That certificate shall be sufficient to satisfy the requirements of Election Law § 4-106.

19. Defendants shall take all necessary and timely steps to publicize, in both English and Spanish, the adoption of the new electoral system and the election schedule as established by this Stipulation & Agreed Order.

20. If implementation of this Stipulation & Agreed Order or any provision of it conflicts with any provisions of local law governing the conduct of elections for the Town Board of the Town of Mount Pleasant, the terms of this Stipulation & Agreed Order shall control. All current federal and state laws, and all other local laws not in conflict with this Stipulation & Agreed Order, shall continue to apply to elections for the Town Board of the Town of Mount Pleasant.

21. Pursuant to, and in full satisfaction of, Defendants' obligation under Election Law § 17-218, the Town of Mount Pleasant will pay to Plaintiffs' attorneys, Abrams Fensterman, LLP and the Harvard Election Law Clinic, a total of \$1,425,000.00, made payable by check to Abrams

Fensterman, LLP, with the first \$1,000,000.00 paid within 30 days of the date on which this Stipulation & Agreed Order is entered, and the remaining \$425,000.00 paid within 90 days of the date on which this Stipulation & Agreed Order is entered. If the Town of Mount Pleasant fails to pay either of these amounts when required, Plaintiffs may enter judgment against the Town of Mount Pleasant for such amount without further notice.

22. Within 2 business days of full payment of the attorneys' fees and litigation expenses due under the terms of this Stipulation & Agreed Order in Section 21 above, counsel for the Parties will execute (a) a stipulation of discontinuance, which counsel for Plaintiffs will file, but the Court retains jurisdiction to enforce the provisions of this Stipulation & Agreed Order and to order such further relief as may be appropriate to effectuate the purposes of this Stipulation & Agreed Order; and (b) a stipulation withdrawing Defendants' appeal and Plaintiffs' cross-appeal from the Court's April 11, 2025 Decision and Order, which are currently pending before the Appellate Division, Second Judicial Department, under Appellate Division Docket Number 2025-09218, which counsel for Defendants will file.

23. Plaintiffs and Defendants each reserve the right to seek relief from this Court to ensure compliance with this Stipulation & Agreed Order. Any party to this Action may move to re-open this Action to enforce the terms of this Stipulation and Agreed Order.

24. Plaintiffs covenant not to sue to set aside or challenge the validity of this Stipulation & Agreed Order or to challenge the electoral system adopted through the Parties' Stipulation and Agreed Order, and fully, finally and forever settle and release Defendants, the Town Supervisor, Town Board Members, and all Town employees, agents, successors, assigns, officers, divisions, departments, subsidiaries, affiliates, representatives, and insurers, from any claim, demand, action, suit, cause of action or liability whatsoever, in law or equity, whether known or unknown, relating

to or based in whole or in part upon the facts and claims at issue in this Action, including any claims that were or could have been asserted in this Action or that otherwise relate to the Town's electoral system, as well as any claim for attorneys' fees and expenses, except as otherwise stated in this Stipulation and Agreed Order.


SO ORDERED this ____ day of _____, 2026.

Hon. Paul I. Marx
Justice of the Supreme Court


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Stipulated to by:


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Co-Counsel for Plaintiffs

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(914) 607-7010

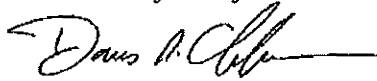
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EXHIBIT A

(graphical representation of the districts in the new electoral system for the Town of Mount Pleasant)

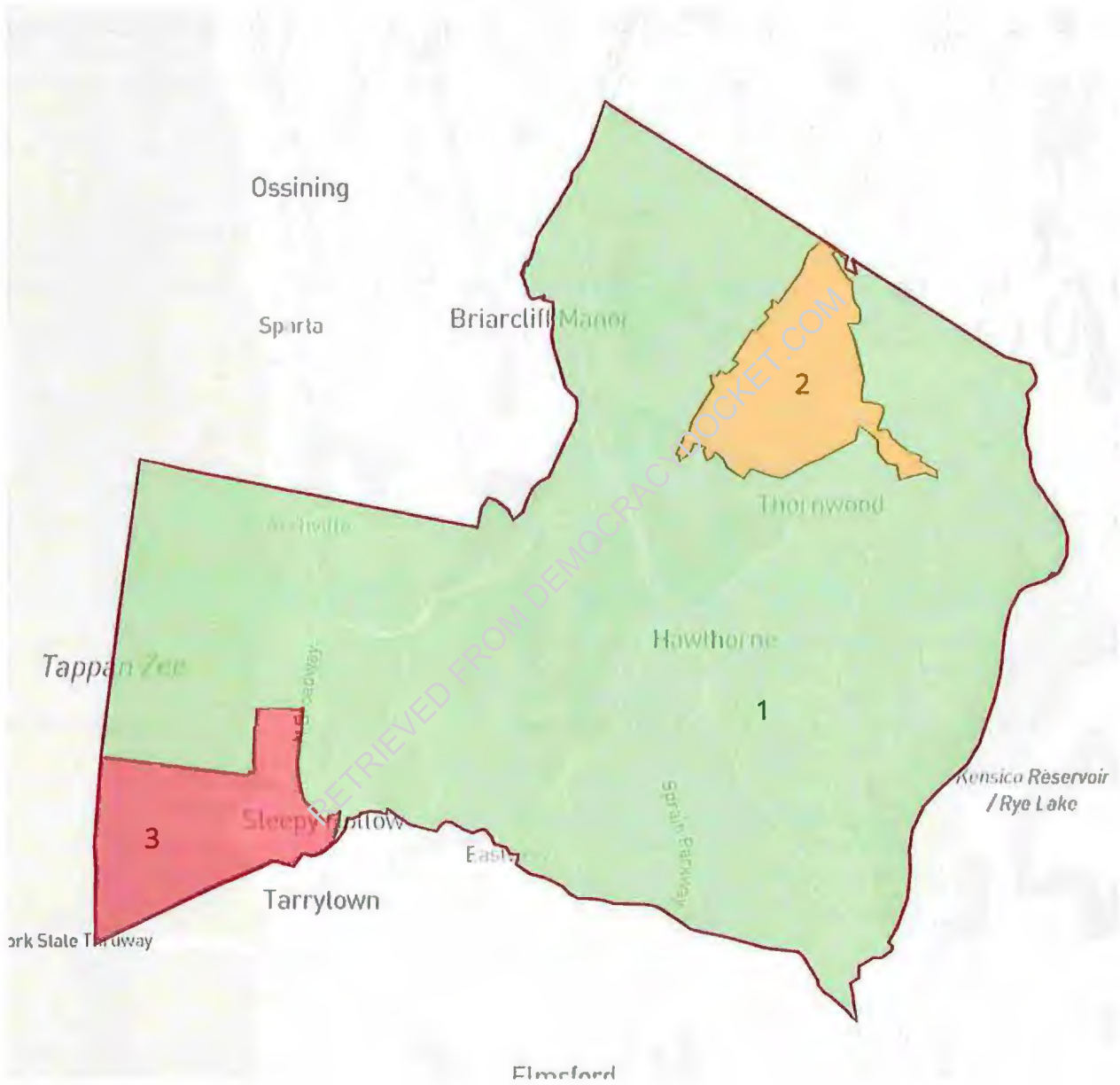


EXHIBIT B

(Census Block Assignments for the new electoral system for the Town of Mount Pleasant)

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