

MINUTES OF A PUBLIC HEARING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF  
MAMARONECK HELD ON MONDAY, OCTOBER 9, 2007 AT 7:30 P.M. IN THE COURTROOM  
AT VILLAGE HALL, MAMARONECK, NEW YORK

PRESENT:	Mayor	Philip Trifiletti
	Trustees	Thomas A. Murphy Toni Pergola Ryan John M. Hofstetter Anthony Fava
	Village Manager	Leonard M. Verrastro
	Deputy Village Attorney	Joseph Messina
	Police Department	Police Chief Flynn
	Clerk-Treasurer	Agostino A. Fusco
ABSENT:		None

**NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held by the Board of Trustees of the Village of Mamaroneck on the 9th day of October, 2007, at 7:30 p.m., or as soon thereafter as all parties can be heard, at the municipal building located at 169 Mount Pleasant Avenue, Mamaroneck, New York, to consider PROPOSED LOCAL LAW NO. 19-2007, a Proposed Local Law adding Part I, Chapter 78 to establish and regulate the position of the Village Attorney.

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Local Law No. 19-2007 is on file with the Clerk-Treasurer of the Village of Mamaroneck.

PLEASE TAKE FURTHER NOTICE that at said public hearing, all persons interested will be given an opportunity to be heard.

BY ORDER OF THE BOARD OF TRUSTEES OF  
THE VILLAGE OF MAMARONECK, NEW YORK

Agostino A. Fusco  
Clerk-Treasurer

Dated: October 4, 2007

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on Proposed Local Law 19-2007, is hereby opened.

Ayes: Fava, Hofstetter, Ryan, Murphy, Trifiletti  
Nays: None

Trustee Murphy informed the Board that this proposed local law started out as a recommendation by a group of local lawyers in 2005, as municipal law has become very complicated and it would behoove the Village to have an attorney on staff, who has the interest of the Village as their primary responsibility. This has been successful in Port Chester and according to their previous Village Manager; it was the best thing that Port Chester has ever done. Trustee Murphy also stated that many school districts are doing this now and have realized a cost savings. This person, in his opinion, could control costs by managing litigation, although some would still have to be handled by outside firms. Trustee Murphy read the proposed local law into the record.

Mr. Irving Scharf believes this is a good idea, worth further investigation and study. He would like to know what the cost would be. He would also like for the Board to investigate having the attorney work part time and not full time. Trustee Murphy explained that the law only says that the attorney will be an employee of the Village. Whether or not it is full or part time and what the salary will be is something that can be and will be worked out later. Mr. Scharf asked the Board to keep this hearing open until a salary range could be determined.

Trustee Ryan spoke with the Mayor of Port Chester and he feels this has been invaluable and has prevented lawsuits. She believes this is a way to control legal expenses and we would be best off with a full time position.

Trustee Hofstetter, as liaison to the Budget Committee, stated that the Committee sent a letter to the Board of Trustees asking them to consider hiring a full time attorney to help control costs. He feels that with all that has been spent in legal costs, the Village could carve some out to pay for an attorney who is a Village employee.

Mr. Ron Trucchio is concerned with the Village's ability to hire a well qualified individual at a competitive salary. Trustee Murphy believes that there is a misconception that all attorneys make a ton of money. As he is married to an attorney, he has seen attorneys burn out at high paying, fast paced law firms and he believes there is a niche of attorneys that are looking for a slower paced, closer to home situation.

There was some confusion as to which version of the proposed local law is correct, as page two of the proposed law was left out of the packets mailed to the Trustees. There was a correct version given out right before the meeting. Deputy Attorney Messina inquired as to which version was published for the public hearing as he received two different versions as well. The Mayor suggested that the public hearing be held over to the next meeting so that all parties, including the press have the correct and final version.

Mr. Mauro Gabriele believes this is something that should be explored as there have been many complicated legal issues in the Village. He suggested they find someone who is well versed in land use; perhaps hiring two part time attorneys instead of one full time. He also believes there needs to be consistency in this appointment and should not be subject to political wrangling.

Mayor Trifiletti stated that he believes this is something that should be considered. He would like the pronoun "he" removed as there are many fine lady attorneys who may be interested. He would also

like for the minimum amount of experience to be changed from five years to ten and the minimum for experience in municipal law be changed from three years to five, as he would like a bit more experience. He also asked that either the Village Manager and/or the Clerk-Treasurer figure out how much an attorney and support staff would cost the Village, including benefits and where they would sit as space at Village Hall is limited. He would also like the amount of hours to be worked and where the individual would/could be while working spelled out. Mayor Trifiletti asked if there could be a study done of expenses over the last two years and how much of that could have been avoided if there was an attorney in house.

Trustee Murphy believes that having a threshold of five years is satisfactory. He is not in favor of doing any further studies as the Board has been talking about this for over a year.

Ms. Nancy Tumm expressed her interest in knowing what this will cost the Village. She would also like to know if this employee would be part or full time. Ms. Mary Lou Grecco would also like to know what this will cost before a vote is taken.

The public hearing was kept open to the October 22, 2007 meeting.

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

SALLY J. ROBERTS,  
SECRETARY

AGOSTINO A. FUSCO,  
CLERK-TREASURER