

RESOLUTION

COMPENSATION OF HEARING OFFICER FOR SECTION 75
CIVIL SERVICE LAW PROCEEDINGS

On motion of TRUSTEE _____, seconded by TRUSTEE _____, the

following resolution was adopted by the Board of Trustees of the Village of Port Chester,
New York:

WHEREAS, employees holding certain positions are entitled to the protections of Section 75 of the Civil Service Law, either by law or by virtue of their applicable collective bargaining agreements, including written charges and a hearing; prior to removal or otherwise subjected to any disciplinary penalty for incompetency or misconduct; and

WHEREAS, the hearing upon such charges shall be held by the officer or body having the power to remove the person or by a deputy or other such person designated by such officer or body who would then make a recommendation to the removal authority on such charges; and

WHEREAS, by resolution adopted on November 23, 2009, Deborah A. Shapiro, LLC was retained to act as Hearing Officer on an on-needed basis at the date of \$950.00 per diem plus travel expenses; and

WHEREAS, the Village Manager has appointed Ms. Shapiro to act as Hearing Officer for two disciplinary proceedings commenced on or about May 10, 2010; and

WHEREAS, additional approval of the Board of Trustees is required for the Village Manager to compensate such individual. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to compensate Deborah A. Shapiro, LLC, 270 Madison Avenue, Suite 1301, New York, NY 10016, for disciplinary proceedings commenced on or about May 10, 2010, at a rate of \$950 per diem plus travel expenses, not to exceed \$25,000.00 except as provided herein; and be it further

RESOLVED, that during said disciplinary proceeding, should labor counsel for the Village, in conjunction with the Village Manager, determine that the Hearing Officer expense may exceed the aforementioned \$25,000.00, upon one (1) week's notice to the Board, the Board reserves the right to amend this resolution and/or enact additional resolutions, as necessary, providing for additional compensation for Hearing Officer Deborah A. Shapiro; and be it further

RESOLVED, that that General Fund Budget be modified as follows:

001-0001-4995	Appropriated Fund Balance	\$25,000
0001-1420-0400	Legal – Contractual	\$25,000