

## **MAYOR'S COLUMN**

Last Friday, I spent over five hours with various Village attorneys, severely testing my powers of concentration and coffee intake. I thought my day offered a window into a side of government that many residents do not see, but actually takes up a great deal of Village time and money.

The fact that the world is litigious and the legal ramifications of seemingly innocuous actions has been driven home to me. As I reach the 30<sup>th</sup> anniversary of my law school graduation and a career I have long since left, the training has come in handy nearly every day as Mayor.

The following is just a sample of issues that Village government must address in the legal arena.

For example, we continue to refine our newsbox law to meet both Constitutional muster and recent prevailing court decisions. Our goal is a simple one. We do not want newspaper boxes attached with metal chains to Village property, especially power poles. We continue to craft legislation that protects the safety of municipal property while not impinging on the First Amendment right of free speech. Based on recent court decisions, it is proving to be a difficult balance.

The Trustees and I are also working on a voluminous document called the Request for Proposal (RFP) to revisit the Kensington Road project. Despite the economic downturn, a surprisingly large number of credible national developers are interested in our project. We believe the plans approved by our village boards, after careful and meticulous attention to quality and detail, are still the ones that would bring the best value and beauty to the Village. Since approvals run with the land and not the developer, our attorney has also secured the reissuing of approvals with the architect of the project, Metro North, United Water and the Department of Environmental Conservation, as well as continuing to honor any agreements made with Christ Church. Our only modifications are to encourage developers to build the exact same structure but for an "age restricted" population as opposed to "age targeted" in our previous plan. In addition, we asked developers to revisit the garage specifications in the hopes that we could add additional public parking spaces if feasible. All of the above requires extensive legal review.

We also discussed such diverse subjects as the legal and financial relationship between the Village and Library and any potential ramifications

and the issue of whether a municipality can issue parking tickets in lots that are rented but not owned.

In addition, we are in the early stages of crafting legislation to govern the installation of solar panels, auxiliary generators and addressing the issue of residential tear downs and building to the absolute limit on property. I am fortunate to have Harry Porr as Village Administrator, who is very actively involved with other municipal managers/administrators throughout the State. Based on his network of professionals, as well as my relationships with local Mayors, we share proposed legislation and most importantly the pitfalls to avoid when instituting new regulations. As a result, we do not have to reinvent the wheel but cull the best practices from our neighbors' experiences.

In an effort to help our merchants and change some bad habits by some store owners and their employees, we worked on crafting a law prohibiting meter feeding. We currently have store employees who park on Pondfield Road and Park Place in prime places for customers. At the same time, we must balance the needs of our restaurants, doctors and hairdressers whose customers legitimately require multi-hour parking. Again, another seemingly easy change that turns out to be much more complex.

The Village also needs to institute regulations to monitor the subpar and often delayed repairs to many of our well paved streets by Con Edison and United Water.

We also spent a great deal of time with our attorneys on employee relations and contract negotiations. We negotiated a very fair and reasonable agreement with our police union and I am confident we will soon do the same with the Teamsters representing our Department of Public Works employees. Library employees recently chose to be represented by the CSEA union so we will begin anew to craft the first and most important contract governing their employment.

We then discussed with our tax attorney any potential residential tax proceedings and upcoming certioraris for commercial buildings. The good news is that we are settling many lingering old cases, some a decade old, and commercial owners are agreeing to the 2007 reassessed values in settling claims.

As you can see, legal considerations affect every aspect of our Village day-to-day operations and decision making.