

Upper Brookville Residents See Benefits In the Village's First Contested Election

By *jlouis* - June 24, 2011

Upper Brookville residents voted for two trustee positions on Tuesday, June 21, after the Enterprise Pilot went to press, on what was expected to be the biggest vote in the history of the incorporated village. Resident Sandy Major said just 13 votes were cast at previous elections. "It's time. It's very exciting no matter who wins." She said she encouraged people to come to the Meet the Candidates night at the Mill River Club held by candidates Peter J. Pappas, Jr. and Bradley Marsh on June 14, to see what is happening. She said, "It's a Democracy. It's going to be interesting to see what happens in the future." She said few people attend the regular UB board meetings and if that changed, and residents became involved directly with what happens in the village – everyone would benefit.

Ms. Major, who has lived in Upper Brookville for 47 years, recalled an early incident that happened years ago. She said she heard footsteps inside the house and was afraid. She backed out of the house and used the phone on the porch (it was before cell phones) and in a few seconds the police were there, two officers with flashlights went inside and searched the house. "They went all over the house, even in the crawl space. They found droppings and said it must have been squirrels."

She said, "The Nassau County Police do not have the time to do that."

Ms. Major has been very involved with the community. "I was active with the Boys & Girls Club in the early years, and brought press releases to the newspaper," she said. Retired now, she was a Patient Advocate. After her youngest children graduated, in 1980 she got her MA.

Another resident there with his teenage son said, "They come if a neighbor's dog gets loose. He said he was glad that it wasn't a neighborhood where shootings were the problem."

Listening to the residents it appeared that it is the day to day personal policing that they are concerned with – and don't believe the Nassau County Police will have the time or manpower to provide it.

Upper Brookville resident Terri Carr Muran was concerned with the fate of the OB PO's who were let go. "Someone has to speak up for the police officers. Some have four and five children. They got a letter saying they were out of a job on May 31, and the next day they had no insurance. What if they had a car accident and were without insurance?" She said they don't get COBRA, the interim insurance plan. She wished they could have been given a token of appreciation from the residents to whom the police represent their contact with the village itself.

Ms. Muran organized a symposium for Thursday, June 16 where speakers included Chris Sweeney, OBPD PBA president; a policing expert, and several other speakers to get out the entire story. She said "They will learn how a police department should be formed, what we need in the area." [That meeting is covered in an article on page 3.]

While residents of Upper Brookville received a letter from the mayor, "It did not give the full details," said Ms. Muran. "This is not a kingdom. I'm from England. We are a Democracy and that is the key," said Ms. Muran. "Recently there was a Designer's Showcase proposed for Pia Isadora's house and only the homes directly around it received notification."

At the Mill Creek Club, the bar was filled with couples chatting and enjoying passed hors d'oeuvres. Many of them had attended the special meeting at Planting Fields Arboretum when the village board explained the issues involved in deciding how to proceed with handling the Old Brookville Police Department contract from which Muttontown had withdrawn, making the police protection district 26 percent smaller – in funding, and coverage area. At that meeting too, it took a long time to start the proceedings as neighbors who rarely see each other enjoyed talking, Mayor Terri Theilen said at that time.

Resident Clifford A. Bartlett, Jr., Esq. offered a different perspective on the cost of policing –in terms of taxes. Mr. Bartlett said an average home in Upper Brookville pays about \$3,000 for police service, and takes that off their taxes. "If you figure out what the loss of Muttontown means to the cost, that would add about \$375 to maintain the same services. So paying that for the extra protection is easy," he said.

Some people in the area, he said, can be in the max tax bracket and would be able to take about half the cost from their taxes.

Mr. Bartlett quoted his favorite Everet McKinley Dirksen who said, "A million dollars here, a million dollars there and pretty soon you're talking about money." He said money shouldn't stand in the way of appropriate protection. The area is one of the wealthiest in the county.

Mr. Bartlett said the NCPD is good, even terrific, but here the OBPD are tasked with a different job. It's personal service. "If it is something like a problem with landscapers, the NCPD are not equipped to do that," he said.

The PBA's View

Chris Sweeney, OBPD PBA president was at the meeting and scheduled to speak. He told this reporter that the Old Brookville Police Department when it covered seven villages had 26 members. Now there are no detectives, they were downgraded to sergeants and will be out on patrol. There are six sergeants, and 18 police officers. He said, "A minimum of 20 is needed. Currently one is on disability so just 17 are working." He said before the decision was made for the current contract, the police said they "would be happy to help with the termination pay and items such as sick time," but said they were not taken up on the offer. He added, "Now the labor lawyer wants to go into long term negotiations on those items."

Candidate Mr. Marsh said he understood the current contract had been signed for one year, and it was the next year he and Mr. Pappas hoped they could affect. Mr. Pappas said he is familiar with union negotiations and had ideas on how a better resolution could result.

The Board's View

Upper Brookville Police Commissioner Michael Schwerin said in regard to the new OBPD contract, "I am not trying to kill the department. I am trying to save it. Costs for the OBPD have been escalating rapidly, over 10 percent per year. This is likely to continue as we struggle to begin funding the enormous (\$30mm +) unfunded liabilities created by the PBA contract.

"For Upper Brookville residents, the tax burden for the OBPD is doubling every seven years. On average, it was \$2,500 per household for the year ending 2010; \$3,000 this year; and is likely to be \$5,000 in five years. This is not sustainable

"The OBPD is dying under its own weight. Muttontown's decision to form its own Department is proof of this. If we had managed costs better, they never would have left. Chief Marty Sullivan and prior commissioners allowed the department to become bloated and top heavy. In addition to himself as chief, we had a lieutenant, a captain, a detective sergeant, and four detectives. We also had seven dispatchers and four clerks. None of these people patrolled our streets.

"The brass were each making well over \$200,000 a year. All Nassau County residents, including those in our villages, pay Headquarters Tax for detective and dispatch services. In effect, our residents were paying twice for these services, once to the NCPD and again to the OBPD.

"Under the current PBA contract, officers get 26 sick days, 27 vacation days, 12 holidays, and 5 'personal' days = 70 days off each year (in addition to weekends)! Under the current PBA contract, the average sergeant who retires after 32 years (typically still in his or her mid-50s) will receive over \$350,000 in 'termination pay' as a check the day they walk out the door.

"In addition, \$112,000/year pension for life-guaranteed, no matter what the stock market does or whether the economy recovers, ever. Plus, 'Cadillac' healthcare for life. Under the current PBA contract, no officer pays anything-not one dollar during his or her career toward any of these benefits. All of this was true prior to Muttontown's departure. This is the real reason why they left," said Mr. Schwerin.

Mr. Schwerin said they are attempting to restructure the OBPD to make it sustainable for the future. He said, "Otherwise, it will collapse under its own weight, in which case the OB BPA will die with it. Tragically, the PBA has developed such a sense of entitlement that they can't see this. Their adamant refusal to accept a prudent restructuring of the Department is against their own best interests, as it could well lead to its demise, and then where will they be?"

In talking about what they want from the village, the new candidates stated it was transparency.

Mr. Schwerin said on the issue of transparency, "The Trustees in my village are being accused of operating behind closed doors. Of not being transparent. Of keeping our residents in the dark about key issues. This is ridiculous. There is nothing I would rather do than debate these issues in public, for all to see. The facts are so clearly apparent to anyone willing to consider them.

"On the matter of the OBPD, Upper Brookville conducted two town hall meetings. None of the other five villages held one. Our Mayor has posted four letters on our website and by mail over the past few months explaining in detail our efforts to secure appropriate police protection for our residents, preferably through the OBPD, but if necessary, from another qualified department.

"We also posted OBPD Acting Chief Rick Smith's June 15 letter to all residents of the six villages. Ironically, my opponents are attempting to make a virtue out of their ignorance of police and village affairs. They claim that their ignorance is a result of our unwillingness to share information. They don't acknowledge the truth: both our Board of Trustees meetings and the OBPD Board of Commissioners meetings are open to the public. Neither of my opponents has ever attended an OBPD BOC meeting. To my knowledge, Mr. Marsh has never attended a Village Board meeting. Mr. Pappas has not attended a Village Board meeting during any of the time we have discussed the OBPD after the loss of Muttontown. Both the OBPD and the Village annual budgets are public information. If either of Mr. Marsh or Mr. Pappas had any real interest in them, they merely needed to request a copy. Neither one ever has. To my knowledge, they have not conducted any independent analysis of crime in our area. All they know about police operations is what the PBA feeds them."

Incumbent Barbara Kelston, owner of the Locust Valley store G-Willikens is the U.B. fire commissioner, and is also running to remain on the board.

The Upper Brookville residents voted on June 21 to express their opinion of this critical issue.