

Upper Brookville Police Commissioner Speaks

By **jlouis** - April 29, 2011

Residents of the Village of Upper Brookville filled the Conference Center at Planting Fields Arboretum Historic State Park on April 19. They were there to hear their village Boards take on the events resulting from Muttontown Mayor Julianne Beckerman announcing her village was pulling out of their partnership with Upper Brookville and five other villages for the services of the Old Brookville Police Department. While the event was an Upper Brookville meeting, the topic kept coming back to Muttontown. In fact, several of the speakers were from Muttontown.

During the evening, UB Police Commissioner Michael Schwerin further clarified the ramifications of the OBPD contract issues. First and foremost was that as a village, both UB board trustees and residents want to remain with the OBPD. They are happy with the service and in fact, the villagers' concerns were about why the board didn't know about the defection sooner; and comments from a few that if the OBPD weren't back, they might need a new board – it was that important to them.

Most interesting was the additional information Mr. Schwerin gave explaining the history of contracts saying the inherent problems have always been there since, "Each [village police commissioner] is doing their best for their own residents." While the seven village's police commissioners may accept a proposal, such as the one on Feb. 5 where they agreed in principal with Mayor Beckerman, they took the information back to their boards and there was no agreement. When Mayor Beckerman and her board voted on March 25 to create their own police force, letters went out to the other villages for comment. Muttontown had built into their resolution the date of March 31, before which they could nullify the agreement and return to work with the other village on the contract.

Mayor Beckerman has said she still doesn't know why the other villages never responded.

Michael Schwerin said in their view, the villages received a 36-hour "ultimatum" from Mayor Beckerman and they didn't respond. "The terms of the ultimatum didn't seem balanced," he said.

He said the consortium had been in active discussions on the rapidly escalating costs in the past and future of paying for the police service – even without Muttontown. The first consideration is the unfunded longterm liabilities of the OBPD.

They include the NYS Pension system funding; termination pay to retiring officers which can be significant and for which they have set up a fund of \$8 million and is half funded presently. The third is post-retirement health benefits for the officers lifetime and then continuing for a surviving spouse. Mr. Schwerin said those costs are hard to determine but accountants have suggested it needs \$28.8 million in funding.

One resident commented that if the stock market goes up the financial considerations might improve. He said, “We might be over-reacting.”

“Termination pay and post-retirement health care are our real issues,” said Mr. Schwerin.

There are questions to be determined for instance, does a village have to make a lump sum payment for unfunded liabilities if they opt out, since they were in a contract. Mr. Schwerin said it was likely over time.

Nassau County Police

The possibility of using the NCPD was brought up. A benefit is that they would use the current OBFD building if that happened. Mr. Schwerin said a benefit of being with the NCPD is they can borrow money for the police liability payments while the village is not allowed to do so. He said currently, Old Brookville Mayor Bernie Riber is the point person in the negotiations with the PBA for the villages. The consortium is considering bringing in a labor lawyer. The current PBA contract goes to May 31, 2012.

Super Majority Vote

Another issue brought up by Muttontown was the voting system. Mr. Schwerin said that came up five years ago when Muttontown made the same complaint during contract negotiations. The concession won was a Super Majority Rule on some items. With the seven villages only four votes were needed to win; so instead, they adopted a five person vote for something extraordinary such as for the budget. He said, “It meant the four small villages couldn’t impose their will on the three large villages.” He said the last budget vote needed five votes to pass.

Other Possibilities

Mr. Schwerin said the OBPD recognizes the need for staff reductions necessary without Muttontown. The OBPD PBA President Chris Sweeney said they are willing to negotiate. The villages have until June 1 to decide.

Another possibility the UB board is looking at is joining the NCPD. There are problems. Mr. Schwerin said Laurel Hollow currently uses NCPD but there was a \$30 million shift from the Headquarter tax (which all Nassau County residents pay) to the District tax (which villages with their own police departments do not pay). The result is the Laurel Hollow costs went up and they are now looking into joining the Oyster Bay Cove Police Department discussions with the PBA.

A resident suggested UB look into asking Old Westbury to join the OBPD, another possibility. At the Muttontown meeting there was a suggestion that Cove Neck might join them, since they would be closer than the OBPD geographically. Mayor Beckerman said no decisions would take place until after her police force was established.

Mr. Schwerin said currently, NCPD costs 62 percent of the assessed value of a village; the OBPD took 54 percent. However, costs are escalating with the retirement benefits. He said in two years – even without Muttontown, the costs would have reached parity with NCPD. He said Nassau County is making an effort to put in caps to costs.

Currently, said reliable sources at the meeting, Muttontown has purchased their patrol cars. Mayor Beckerman set the cost of her new MPD at \$2,850,445, last year's OBPD cost; instead of paying the proposed OBPD budget share of \$3,059,578.

Another reliable source commented that the OBPD has a very sophisticated computer software system that gives instant information about their customers; something that the NC GPS system that Muttontown intends to use – is not as complete.