

**From** Lou Young <lyoung@vomny.org>

**Date** Tue 11/12/2024 12:07 PM

**To** Charles Strome <cstrome@vomny.org>; Mayor Sharon Torres <storres@vomny.org>

**Cc** Mayor and Board <MayorandBoard@vomny.org>; Robert Spolzino <rspolzino@abramslaw.com>; Mary E. Desmond <MDesmond@Abramslaw.com>; Sally Roberts <sroberts@vomny.org>; Courtney Wong <cwong@vomny.org>; sussman1@sussman.law <sussman1@sussman.law>

Chuck,

To me the issue is the word "terminate," in Mr. Spolzino's reference to discussion about this project, especially at a moment when preferences for flood victims have become more of a likelihood than at any previous point. While I and others have been consistent and public in our advocacy for flood victim preference in the Hunter Tier project, I challenge the idea that it amounts to back-channel negotiation.

I believe the actual negotiations have proceeded at a snail's pace as staff takes its cues from the incoming board members as opposed to the current board which is legally seated. Their task has seemed to be to "run out the clock." I was especially disturbed that trustee candidates were encouraged to be present in Executive Session prior to their election. In light of that, it is reasonable for members of the current board to assume that the negotiating team is no longer working for the lawfully seated Board of Trustees. Hence my outreach to Mr. Sussman.

Please note that everything I have sent to Mr. Sussman is in the public record as backup for the open meeting scheduled tonight. It is a public meeting, as Mr. Spolzino has indicated Executive Sessions are no longer required. Mr. Sussman's presence is no more inappropriate than that of any other member of the public and he attends at my invitation.

As I stated, the issue that has triggered this possible course of action is the word "terminate."

Best,

Lou Young  
VOM Trustee

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**From:** Charles Strome <cstrome@vomny.org>

**Sent:** Tuesday, November 12, 2024 10:02 AM

**To:** Mayor Sharon Torres <storres@vomny.org>; Lou Young <lyoung@vomny.org>

**Cc:** Mayor and Board <MayorandBoard@vomny.org>; Robert Spolzino <rspolzino@abramslaw.com>; Mary E. Desmond <MDesmond@Abramslaw.com>; Sally Roberts <sroberts@vomny.org>; Courtney Wong <cwong@vomny.org>

**Subject:** RE: Msg to Michael H Sussman, Esq

I have removed Mr. Sussman from this email. I have to say, in my 30+ years of experience

as a professional Manager, I have never experienced this kind of situation. After reading Bob's memo and after my conversations with him, it is clear that after information that was discussed in executive session as well as information discussed in Bob's conversations with some Board Members, those Board Members (or one of them) has gone directly to Westhab and relayed the information to them and had independent discussions/negotiations with them. Obviously, I have not been involved in Mamaroneck for a very long time but the fact remains that members of the Board of Trustees are legislators – policy makers. They are not members of the executive team and they certainly should not be having independent discussions with a developer while the Village's designated negotiating team is having similar discussions at the same time. It is my belief that this is highly detrimental to any discussions. I will leave the actual legality of these actions to appropriate attorneys.

And now, when the Village Attorney, who was designated the lead negotiator for this project, sends a memo expressing his concerns about these actions and recommends that negotiations stop, a Board Member independently goes out and solicits another attorney to essentially overrule the Village Attorney – no discussion with the full Board. I have never seen this before. I would advise that it is **highly inappropriate** for this new attorney to attend a Board of Trustees meeting. There has been no discussion by the full Board about hiring another attorney to pick up negotiations and complete them, essentially, in a couple of weeks, so having an attorney who has not been formally agreed upon by a majority of the Board, has no retainer and no agreement in place, attend a Board meeting is ill advised.

I believe I am one person who does not have a horse in this race. The Hunter Tier discussion began long before I got here and although I have an opinion on how the Village should move forward, that opinion is irrelevant because I will be leaving the Village shortly. But, I do feel strongly that what has happened in recent weeks has been at the least unprofessional and bordering on unethical – I won't be a part of that.

I would conclude by saying I am in complete agreement with Bob's opinion about the state of the current negotiations and his latest recommendation. If I am correct, we now have three communications from the Village Attorney advising against entering into an agreement without certain provisions in the term sheet and a majority of the Board is willing to just ignore that and rush to have something approved that the Village Attorney says is not good for the Village and will subject the Village to potential litigation.

Obviously, the majority of the Board is free to do what it wants to do, but I wanted to put my opinion about what has happened over the past few weeks on the record so that it is clear that I strongly recommend against moving in this direction. I believe participating in this course of action moving forward may be a violation of my professional code of ethics and will certainly subject the Village to potential litigation as the Village Attorney has suggested.

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**From:** Mayor Sharon Torres <storres@vomny.org>

**Sent:** Monday, November 11, 2024 4:23 PM

**To:** Lou Young <lyoung@vomny.org>; info@sussman.law

**Cc:** Mayor and Board <MayorandBoard@vomny.org>; Charles Strome <cstrome@vomny.org>; Robert Spolzino <rspolzino@abramslaw.com>; Mary E. Desmond <MDesmond@Abramslaw.com>; Sally Roberts <sroberts@vomny.org>; Courtney Wong <cwong@vomny.org>

**Subject:** Re: Msg to Michael H Sussman, Esq

To Michelle Sussman,

The Board has not convened to make this decision and Trustee Young does not have the authority to hire you outside of the Board. He does not have the authority to violate our contract or to fund your services.

We have a Village Attorney under contract who is handling this situation.

Thank you.

Mayor Sharon Torres  
Village of Mamaroneck  
<https://www.facebook.com/MayorSharonTorres>

<https://www.village.mamaroneck.ny.us/>



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**From:** Lou Young <[lyoung@vomny.org](mailto:lyoung@vomny.org)>  
**Sent:** Monday, November 11, 2024 4:05 PM  
**To:** [info@sussman.law](mailto:info@sussman.law) <[info@sussman.law](mailto:info@sussman.law)>  
**Cc:** Mayor and Board <[MayorandBoard@vomny.org](mailto:MayorandBoard@vomny.org)>; Charles Strome <[cstrome@vomny.org](mailto:cstrome@vomny.org)>; Robert Spolzino <[rspolzino@abramslaw.com](mailto:rspolzino@abramslaw.com)>; Mary E. Desmond <[MDesmond@Abramslaw.com](mailto:MDesmond@Abramslaw.com)>; Sally Roberts <[sroberts@vomny.org](mailto:sroberts@vomny.org)>; Courtney Wong <[cwong@vomny.org](mailto:cwong@vomny.org)>  
**Subject:** Msg to Michael H Sussman, Esq

To: Michael Sussman, Sussman & Goldman

Mr. Sussman,

As a trustee in the Village of Mamaroneck I have conferred separately and individually with two of the five members of the Board of Trustees and would like to reach out to you to possibly secure your services in completing a term sheet and contract negotiation with Westhab for the construction of mixed use Affordable Housing and public parking.

The project has been contentious and politically fraught and although negotiations are advanced there is a call to stop the process as this current legislative session draws to a close. It is important to the current board that this matter continue on track so we have something before us before those of us who strongly support affordable housing leave office on Dec 2, 2024.

The matter is scheduled to be discussed tomorrow, Tuesday November 12 at the BOT work session beginning at 5:15PM 169 Mt. Pleasant Avenue Ave and I suspect may also be added to our agenda at the regular meeting to follow at 7PM. An executive session is also a possibility since this involves a contract negotiation.

I am including backup material on the Hunter Tier project as well as a Guidepost Report commissioned by the village about the process that lead up to the RFP issued last year. I would be grateful for your initial reaction and to receive t proposed retainer agreement should the board decide to go in that direction.

I hope to hear from you soon and look forward to seeing you at our meeting.

Best,

Lou Young  
VOM Trustee