

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

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In the Matter of the Application of :
 :
NORMAN S. ROSENBLUM, as MAYOR OF THE :
VILLAGE OF MAMARONECK, :
 :
Petitioner, :
 :
For a Declaratory Judgment for an Order Declaring :
the September 6, 2016 Village Board Meeting Void :
 :
-against- :
 :
VILLAGE CLERK OF THE VILLAGE OF :
MAMARONECK and THE VILLAGE OF :
MAMARONECK BOARD OF TRUSTEES :
 :
-and- :
 :
WESTCHESTER COUNTY BOARD OF ELECTIONS, :
 :
Respondents. :
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Index No.: 3054/16

Assigned to:
Justice Lawrence Ecker

**AFFIDAVIT OF
DEPUTY VILLAGE CLERK
SALLY ROBERTS**

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

Sally Roberts, being first duly sworn, deposes and says:

1. I am the Deputy Clerk of the Village of Mamaroneck. I make this affidavit based upon my personal knowledge.
2. I am responsible for posting and publishing notices of meetings of the Board of Trustees, including notices of public hearings.
3. On August 15, 2016, the Board of Trustees adopted resolutions scheduling public hearings on Proposed Local Law T of 2016 and Proposed Local Law U of 2016 for 7:30 p.m. on September 6, 2016. Certified Transcript of Record, Exhibits B and C.
4. Notices of the 5:30 p.m. work session and public hearings on September 6, 2016 were duly posted and published, including posting on the Village’s web site and events calendar and on Facebook,

on August 30, 2016. Certified Transcript of Record, Exhibits F and L.

5. On August 31, 2016, at approximately 10:50 a.m., while I was reviewing the video of the August 15, 2016 meeting of the Board of Trustees to prepare the minutes, I realized that on August 15, 2016, the Board of Trustees had specifically scheduled the public hearing to be held at 7:30 p.m., not 5:30 p.m.

6. At 11:05 a.m., I revised the Village's events calendar posted on the Village's website to reflect that the public hearings would be held at 7:30 p.m. on September 6, 2016.

7. At 11:37 a.m., I emailed Trustees Potok and Finch, with a copy to Village Manager Slingerland, to advise them about the problem with the notices. I stated:

In watching the 08/15 meeting video, it appears that you intended to schedule a special meeting on 09/06 at 7:30 p.m. to hold the two public hearings (PLL T and PLL U). The hearing notices published in the paper, etc. state that the hearings will begin at 5:30 p.m.

Certified Transcript of Record, Exhibit H.

8. At 12:23 p.m., I advised Trustees Potok and Finch, as well as Village Manager Slingerland, Village Clerk Fusco and Deputy Village Manager Daniel Sarnoff, that I had posted the new time to the Village's website, that I would be having new notices posted in the Village that day, that I was having a new notice published in The Journal News on Monday, September 5th, which was as soon as it could be published, and that I would also be posting the new time on Facebook and sending out a Village news blast. Certified Transcript of Record, Exhibit I.

9. At 1:36 p.m., I revised the Village's Facebook page to reflect that the public hearings would be held at 7:30 p.m. on September 6, 2016.


10. At 1:43 p.m. on August 31, 2016, I sent an email blast to the news media and the approximately 500 residents who had subscribed to receive notifications from the Village, advising that the public hearings would be held at 7:30 p.m. on September 6, 2016.

11. At 2:53 p.m. on August 31, 2016, I sent an email to the Mayor and Board of Trustees advising them that new notices were being posted and published. My email stated:

It has been discovered that the wrong time for these public hearings was posted. Rich, Augie and Charlie spoke with Bob Freeman and he stated that we could revise and repost the notices, which we have done today, as well as blasted via Village News. They will also be re-published in the Journal News on Monday, September 5. The revised notices are attached for your information.


Certified Transcript of Record, Exhibit O.

12. At 2:54 p.m. on August 31, 2016, I sent the revised notices to the Journal News. Certified Transcript, Exhibit P. Two minutes later, the Journal News confirmed that the notices had been received and would be published on September 5th. Certified Transcript, Exhibit Q.



Sally Roberts

Sworn to before me this
21st day of October, 2016


Notary Public

Maria A DiFiore
Notary Public, State of New York
No. 01D16171722
Qualified in Westchester County
Commission Expires: 7/30/2019